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American Academy of Political  
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EDITOR : EMORY R. JOHNSON

ASSOCIATE EDITORS: SAMUEL McCUNE LINDSAY, JAMES T. YOUNG

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1905

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## THE MANUFACTURER AND THE DOMESTIC MARKET

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### *American Domestic Market.*

The American domestic market is probably the most complex in the world. It has become so because it occupies the largest economically high-grade area under one political control, with a uniform language, system of weights and measures, trade customs and laws. In America there have been lacking the diversified agriculture, the household industry, the public market places and the inertia of custom, which, in other countries, have kept the domestic markets simple. Sharp territorial specialization has always characterized our industry. The different forms of agriculture, developed under an essentially manufacturing instinct, and compelled to specialization by the distance of the European market, have a clearly differentiated geography. The mining, lumbering, agricultural and manufacturing regions are singularly distinct. This has compelled an extensive internal exchange, to facilitate which adequate transportation facilities have been forthcoming; and it has necessitated comprehensive methods of performing mercantile functions, which the administrative genius of American industrial leaders has provided. The result of these forces in our national economy, as it finds expression to-day in the organization and processes of the domestic market, is too large a subject for an article.

There are many interesting and important tendencies which may be observed in the modern organization of the distributive industries. To one of these I invite your attention, namely, the tendency of American manufacturing concerns to take up a variety of mercantile functions, by means of which they are increasing their dominance in the domestic market.

*Manufactures Forty Years Ago and To-day.*

This movement, taken as a whole, is of recent origin. Before the Civil War manufacturers had very restricted control over the movements of internal commerce. There was no need for them to show special enterprise in securing supplies of raw materials, for the seller of the crude bounties of nature pursued the buyer. In the finished products market articles imported from foreign countries controlled, and the autocrats of commerce, if there were any, were the great importers, the so-called "merchant princes." The home manufacturers started with the humble rôle of supplying the lower grade of products. Prejudice was still strong against the home-made "style-goods," and much of the product of American factories went onto the market anonymously, or under misleading trade-marks, to be sold as imported goods.

The change of forty years has greatly altered the position of the manufacturer in the distribution of mercantile power. In the majority of modern national economies we find the most progressive industrial group to be the manufactures, the least so the extractive or raw material industries, while the mutually accommodative element is the mercantile. It is not difficult to mention some of the causes of the increased power of manufactures in this country. Manufacture (including railroad transportation, since the internal economy of a railroad resembles a manufacturing rather than a mercantile concern) possesses the advantage of being that form of industry which best utilizes inanimate forces in a country where power is cheap, and best allows an accurate division of labor in a country where labor is expensive. It has enjoyed the special advantage in this country of a high general average of intelligence and an unusual mobility of labor. There has been the negative advantage of an entire absence of prejudice against machinery, and the positive advantage of the unusual mechanical ability which characterizes Americans. When we couple with this the protective tariff, which has insured a large and profitable market and made all other forms of industry pay tribute to it, it can be readily understood that our manufactures have resulted in recent years in an enormous production of wealth, a portion of which has sought investment in promising types of industrial enterprise, and a part of it under the direct control of the parent concerns.

Not only wealth, but capable men, of constructive genius, have been produced in this branch of industry. In manufacturing, the applications of science are so numerous and convincing as to strongly develop the scientific frame of mind. The striking combination of factors of production opens the thought to large plans. The changes constantly required in machinery and processes impel the manager to progressive policy, while visions of the economy of production on a large scale attract him. The manager is in a training school for cultivating quick decision, figuring costs, managing men, freely laying out money where conditions justify, and grouping, combining and governing the productive factors. The result is that in and through our American manufacturing industries have arisen the "captains of industry," who have laid hands upon the undeveloped or loosely co-ordinated commercial functions wherever found and have developed them and assumed the direction of them.

### *Struggle for the Control of Raw Materials.*

To take up our specific topic and define the controlling position which the manufacturing industries have secured over the domestic market, it will be convenient to divide the subject into three parts, conforming to three classes of markets, and to separate the causes operating on each.

For some time an effort has been made by manufacturers to more effectually control the source of supply of their raw materials. For those materials of which the quantity is relatively fixed, this has resulted from the definite development of sources of supply and the increase of manufacturing demand carried to such a point that the chances of accommodation on the open market are deemed by business managers to be precarious. As a result manufacturing concerns in many lines are anticipating their needs and are buying or have bought stocks of undeveloped materials, and are erecting exploitive works and establishments for preliminary manufacture. We find makers of soap and lard substitutes building cotton-seed-oil mills in the South. Pulp mills invest in pulp-wood lands; fertilizer manufacturers open phosphate-rock quarries; oil refineries lease and purchase oil lands. The change is already complete for anthracite coal and northern pine; it is just now being completed for Bessemer ore and western timber; it is rapidly going on for coking-coal,



non-Bessemer ores and southern pine. One of the striking signs of the advent of a new economic condition in this country is the rapid rate at which, during the last fifteen or twenty years, raw materials have passed out of the hands of small holders, who offered them upon open markets, into the hands of large corporations closely affiliated with manufacturing and transportation interests. To use an expressive phrase, there has been a scramble to prevent being frozen out. This has not been due so much to exhaustion of supplies as to the fear of their monopoly. It has therefore been immensely stimulated by the formation of great consolidated corporations, and by the increased use of holding companies, stock syndicates and harmony of interest arrangements.

With respect to raw materials which are readily reproducible, like wheat, cotton and wool, the policy of our manufacturers is not to own and manage agricultural and other industries. But the tendency is increasingly shown to pass by the great primary or terminal markets and the visible supply points on which raw materials were formerly secured, and purchase upon the remote local markets at which they first appear in commerce. There are several reasons to account for this.

In the first place, the imperfect and unorganized condition of many raw material markets has forced it. The effort of our manufacturers to produce finer products, coupled with the increased value of materials, and the closer specialization of processes, has compelled a sharper scrutiny of the supplies they purchase to secure purity and uniformity. The offering to manufacturers of poorly graded and mixed lots of materials has necessitated the substitution of professional for amateur local buyers, as in the case of wool. A poorly housed and protected product, coming onto the market water-soaked and stained, as often happens with our cotton, has favored direct shipments as opposed to the passage of materials through several markets with their delays. The agriculturalist is with great difficulty able to take initiative for the improvement of these conditions by commercial organization. As Prof. L. H. Bailey has said, "The farmer reacts so slowly to changes in his environment that after all other businesses have become adjusted he is still out of harmony with commercial conditions. Collective or co-operative movement among the agricultural classes is difficult because of the lack of common interests. Farming is not one occupation, but many

occupations." The American farmer has furthermore been engrossed in other things than the adjustment of markets. He has had laid upon his shoulders the great task of finding out the physical capabilities of a new country. Each region, climate, slope and soil has required countless experiments to explore. A stupendous investment of labor and capital has been and is being made in these experiments, the results of which will be enjoyed to remote generations.

A second force drawing the manufacturer into the raw material market is connected with the financing of the products of agriculture. The farmer is hampered by lack of ready money. The period of his turn-over is long; the fixed capital is large in proportion to the circulating. A considerable part of the spare money he has had has been attracted to investment in land. The statistics of unimproved land included in farms show that land is the chief storehouse of surplus agricultural wealth. Approximately one-half of the land included in American farms is unimproved. Under these conditions the farmer has sought money crops, and has been obliged to market as soon after production as possible. To secure adequate supplies of materials, therefore, some lines of manufacturing have been obliged to take direct part in the organization of a spot-cash market, on which materials would always be sure of sale at fair prices. Such materials are then rendered good money crops and hence attractive to short-handed farmers. An excellent illustration of the way in which this has been done by manufacturers is afforded by the various union stockyards of this country, in most of which the packing interests are prominent. The financial problem of accommodating the even requirements of a manufacturing plant for materials throughout the year to the necessity which the farmer feels of disposing of his crop at once, when it is matured, has been solved through the co-operation of several agencies. The early purchases of manufacturers involve them in speculative risks. The profit or loss showing of a cotton or woolen mill, or the milling profit of a flouring mill, often depends principally upon the correctness of the buyer's estimate of speculative conditions. There are also independent institutions, illustrated by the grain elevator companies, which aid in carrying speculative risks and controlling storage conditions. Furthermore, by the organization of produce exchanges, it has been made easy for the general public, through speculative investments, to assume a considerable part of the financial burden of carrying food-stuffs and other materials through the year.

A third force drawing the manufacturer upon raw material markets is railway competition. The result of intense competition for traffic has sometimes been that, in pursuance of a compact, a road has given substantial advantages to a large consumer when he has acquired the ownership of materials at the market of their origin, and is hence able to prevent their being diverted from the line at any competitive point and insures their routing as desired. The transportation arrangement may include both the outgoing and incoming traffic of a concern in an agreement permitting manufacture in transit. Between a group of competing roads manufacturing interests have occasionally obtained advantages in return for acting as traffic distributors. The classic case of this is in the early history of the Standard Oil Company. In these transportation struggles the manufacturer has been unable to keep aloof. The old-time free lance, the commission merchant, has been thrust aside; the raw-material producer has been confined increasingly to his local market; the manufacturer has taken up transportation worries and commercial functions unknown years ago.

#### *Elimination of Intermediate Markets.*

We now turn to a different type of buying and selling center, namely, that group of intermediate markets lying between manufacturing and on which the finished product of one establishment is transferred to another to be further elaborated.

From the beginning of the factory system in America there have been fewer of these intermediate markets than in Europe. In the older countries the introducers of machinery found already in existence a strong household and shop manufacture, including the preparers of materials, those expert in the various intermediate processes and the finishers. The factory system took possession of one process at a time and thus independent concerns grew up, each engaged in but one stage of manufacture, and between these there continued to exist many of the intermediate markets. In America the projectors of the first factories usually found the entire field open and the products imported, consequently they were obliged to provide simultaneously for all stages of production. Hence we find, for example, as a characteristic difference between the American and European textile industry that here the several processes of



scouring and combing, or throwing and spinning, weaving and finishing, are more often all controlled by one cotton, worsted or silk concern than in Europe.

Just as it began to be realized that there were disadvantages in the American system, particularly in the adjustment of production to a rapid succession of styles, the trust movement made itself felt and stimulated the process of combination in all branches of industry. The organization of consolidated corporations has had many effects. It has made profits for the organizers through, what Mr. Lawson calls, "made dollars." It has given us a highly centralized type of business administration to experiment with. It has substituted a system of delegated authority for individual initiative. It has eliminated some competition, substituting therefor emulation and the comparison of records, and it has changed the form in which competition manifests itself. It has secured certain economies of production on a large scale. But among its various effects there is one which has not been sufficiently noticed, and that is the elimination of intermediate markets. Complex manufacturing corporations have been constructed, involving not only former competitors, but businesses bound together in the sequence of production, capable of manipulating materials from their first appearance as economic goods until they are ready for the ultimate consumer, without at any time making them the object of purchase or sale. This linking together of processes in great corporations has coerced the independents to similar consolidation, through the fear of the monopoly of raw materials, to which reference has already been made. The movement has been, in this manner, made general, with the result that many series of consecutive establishments can now be found which are working into one another's hands within non-competitive groups. The blast furnaces have acquired ore properties, and steel manufacturers have in turn absorbed them and transportation facilities. Furniture factories have built saw mills upon their own timber lands. Cooperage works are owned by flour mills and whisky distilleries. Pulp mills and their spruce timber are owned by paper mills. The meat packers establish can and car works; the car builders operate linen factories; the reaper works control the manufacture of binder twine; the breweries engage in the production of malt. These combinations are made possible by the improvement in systems of cost-accounting and internal administrative methods.

They give the supplying plants certainty as to markets, the receiving plants certainty as to supplies and absolute control over their quality. Shipments to and from intermediate markets are unnecessary, and the expenses of traveling salesmen, dealers, advertising and the waiting period of the market are all eliminated. In short, for the uncertainty and expense of competition is substituted the economy and exact calculation of a system of book-keeping.

Before leaving the subject a word should be said about an entirely different operating cause which is at work to withdraw many businesses from intermediate markets. This is the application of science to the utilization of wastes. The growth of large concerns has often made the quantity of mill supplies and advertising materials, packages, etc., so great that subsidiary industries can be profitably started in the interest of a single corporation. Repairs also become important enough to warrant the erection of well-equipped shops. In a like manner the accumulation of large quantities of waste products in concerns of efficient management, equipped with scientific laboratories, and possessing the capital necessary to put through any logical extension of the business, has given rise to a great variety of by-product manufactures. These allied businesses are owned and managed by the principal concerns, and receive their materials without purchase from them. They have been able to offer very effective competition on the finished products market, and so to command attention to the commercial principles which they illustrate.

#### *Approach of the Manufacturer to the Consumer.*

Let us pass to the third main division of the subject and consider the attitude of the manufacturer toward the finished products market. It may be observed that while there is a great difference in the policy pursued by large concerns, and we may find plate-glass jobbed, meat sold from subsidized shops and Standard oil hawked upon the streets, many of the consolidated corporations which have acquired large control over the market do not attempt to invade it directly or supplant dealers in the performance of mercantile functions. These rather content themselves with exercising power over prices and the terms of sale by curtailment agreements, price pools, joint selling agencies and other more direct means. The greatest invasion of the mercantile field in the distribution and sale



of consumers' goods occurs under the influence of strong competition between manufacturers, and especially where this meets a more or less obstructive conservatism, not to say inefficiency, in the regularly constituted agencies of distribution. Of the positive force, the competition between manufacturers, it will not be necessary to say anything; of the negative condition, found in the inertia of wholesale and retail trade, a few words may be in place.

Confining our attention to the retail trade, for the sake of brevity, we must at once make an important admission. In this field there has sprung up the remarkable institution known as the department store. These establishments, dealing directly with manufacturers, willing to engage in want creation, and increase the volume of business by advertising and price reduction, willing to accept new goods of merit because understanding the profit of novelties, and having a clear grasp of the principles of merchandising, have not only been able to serve the consuming public well, but have been satisfactory distributive agents for manufacturers. The rank and file of the million or more proprietors of retail stores have, however, been unsatisfactory to such manufacturers as have been chafing for better outlets under the stress of competition. The average retail store proprietor has too easily accepted as unsurmountable the apparent limitation of his local field, and has often been caught in the infinite detail which characterizes the business and rendered by it incapable of constructive commercial policy. Competition has choked many who are lacking in ingenuity, for retailing is a business easily entered on a small scale and competition in it, almost more than in any other type of business, takes the form of simple multiplication of concerns and division of trade. More than anything else, however, the business of retailing, as a whole, has been held back by confusion of mind as to the proper policy—the economic laws, so to speak—of the business. This confusion may be partly accounted for by the extreme variety of establishments which fall under the general caption of retail institutions, but the chief explanation lies in the recent history of American trade.

During the period of the Civil War, and the immediately subsequent years, there was such a scarcity of goods that overbuying was almost impossible and the check upon buying, always so essential in normal retail trade, did not seem so necessary. For a long period prices rose with such rapidity that the profits of a rapid turn-

over of capital paled beside the estimated profit of appreciating stocks lying on the shelves. Under these conditions it was natural that the merchant should treat his customers with indifference. The fluctuation of values made price publicity and a policy of fixed price impossible. Dickering and bargaining became a natural accompaniment of all important sales of goods. In the settlement of accounts long credits were not found to be very dangerous. Recent years have reversed all of these conditions, and hence have demanded an entire reversal of policy. The generation which did business in the previous period has been put at sea, and there has been established a confusion of principles penetrated, until the last few years, only by a few of the stronger minds. The result has been to cramp the growth of the retail industries as a whole, and render them unsatisfactory to the manufacturers as the distributors of their products.

The invasion of the realm of the retailer has been made by the manufacturer in several ways: by establishing a mail order trade and eliminating dealers entirely; by distributing through the dealer, but absorbing many of his functions and controlling his actions; and finally by the ownership of retail establishments.

### *Direct Selling.*

When a manufacturer has been met with unwillingness on the part of the dealer to educate new wants in the public, and a refusal to stock and introduce new goods, he sometimes appeals directly to the consuming public. Direct selling has always had a considerable field. Natural monopolies of necessity use it. Producers goods, such as leather, billet steel and boilers, are usually sold in this manner. Neighborhood manufactures, such as custom mills, and manufacturing retailers, such as bakers and tailors use it. The country at large is familiar with the canvasser. As important as some of these lines of distribution are the great modern development of direct selling has come with the perfecting of its chief instrument, advertising. So great is the progress made in the arts of publicity that the entire complexion of trade has been changed by it. Advertising is often spoken of as a science. It is certainly a complex and powerful engine. The development of the arts associated with it, that is, printing, and especially illustration, has increased its

potency. The vehicles which convey it to the public are numerous. The weekly newspaper is largely supported by it. The low-priced magazine of our day exists because of it. Through it house organs are built up, scarcely distinguishable from independent scientific and trade publications. It counts in its service the bill board, the dodger, the sample, the catalogue of encyclopædic proportions, the commercial package and the follow-up system. Its technique has been carefully considered, and the statistical study of circulations has been made the basis of a profession. Even its psychology is being explored in college laboratories. There is no need to enlarge on the extent to which advertising has been applied by manufacturers to direct selling. The examination of any popular magazine will be convincing. As a method of distribution this affords a manufacturer an outlet independent of the will of any dealer. It serves well to introduce new articles, and trade built up by it can be used as a means to bring pressure to bear upon dealers.

#### *Control of the Dealer.*

It is not always, however, in attacking the market that a manufacturer is willing to cut loose entirely from the established distributive agencies. Many articles cannot be readily sold by mail order. A way has therefore been discovered by which the manufacturer can distribute his goods through the dealers, and still so control every important part of the distributive process that the dealer is reduced almost to the condition of an automaton. When he is in complete command of his entire field the retailer is perhaps the most universal servant of industrial society. His functions are both varied and intricate, blending a mechanical element with the art of personal service; controlling a flow of goods involving endless detail by a system the correct formulation of which is a masterpiece of commercial statesmanship. The task of the retailer is to furnish the consumer goods wanted, at the time and in the quantity and place desired. He chooses his stock from the infinite variety of manufactured articles. He educates the customer to new wants, making known to him new goods and showing their use. He advises with him in his purchases that the adjustment of the want, the goods and the pocketbook may be as perfect as possible. He makes the buying process easy and agreeable for his customers. He protects



his merchandise from deterioration. He guarantees it to be as represented, putting his reputation behind it. He measures it out in quantities convenient for the customer, puts a fair price upon it and delivers it.

Now consider how many of these services can be rendered by a manufacturer. Take the case of the sale of a spool of photographic films. The manufacturer puts the article in a form ready for immediate use. He furnishes a package which protects the goods and shows the size, quantity and age, besides carrying a guarantee and serving as a memorandum of exposures and a cover for mailing. A pamphlet of instructions is given away by the manufacturer who advertises extensively to attract trade. The price is fixed and is everywhere the same. If you look for the goods in a strange city, you will probably be guided by a sign furnished to the dealer by the maker, and you will be attracted by large photographs, from the same source, to show the range of work possible. As the films must be developed, the company offers to do this, but it also puts on the market a simple apparatus and all the necessary chemicals. The value of the films depends largely upon the possibility of obtaining them in travel, consequently the makers have established agencies in almost every important locality in the world. In the solution of this distributive problem, which was unusually complex and difficult, the manufacturer has originated all the plans, done all the work and controls all the essential conditions. The most ignorant clerk can quickly learn all that remains to the retailer to be done. The inventive genius and advertising talent shown by leading American manufacturers in putting their goods upon the market are certainly remarkable. By advertising, with the powerful individualizing agency of the trade-mark, by sample distribution, by demonstrations at the consumer's house or the merchant's place of business, by exhibits at universal expositions, the manufacturer educates new wants in the customer and makes known new goods. By explicit printed directions, in several languages perhaps, and accompanied by ingenious pictures, he so clearly shows the use of the goods that the advice of the dealer is rendered unnecessary to a person of any intelligence. By the use of a package, perhaps air tight or moisture proof, the dealer looses all credit for keeping goods in presentable condition. As the customer knows, when he opens the package, that it was closed at the factory, he feels that

responsibility for its quality is removed from the dealer; and when with the package there is a strong and carefully emphasized guarantee, the dealer sinks into a mere agent for the transfer of any complaints to headquarters. Personal relations of customer with dealer are in this way weakened, and the more so since the customer realizes that in any store where this article with its identifying trade-mark can be had, an absolutely identical good is found. The package, furthermore, does away with the necessity of weighing or measuring, and it usually carries prominently marked upon it a price which sets a maximum upon the charges of the dealer.

This incursion of the manufacturer into the province of the dealer has been disadvantageous to the latter in several ways. In the first place, it has reduced the portion of the profit which the manufacturer leaves to the dealer, for with every function which the manufacturer takes up he makes a corresponding reduction in the profits allowed the retailer. Again, it sharpens the competition of dealers in the same line. The use of packages and trade-marks has, in a few years, vastly increased the list of goods which can be recognized by customers as identical in different establishments. The significance of this lies in the use of leaders and other forms of price competition. A leader, in retail trade, is a line of goods put on sale at a very low price, to attract the attention of the public and impress upon it the idea that the establishment in question has very low prices in general. There is no direct profit in leaders to the trade, since they must be sold at or near cost. Now those articles serve best as leaders which can be identified by customers as absolutely the same in different establishments, because this identity gives force to the price difference. If there were not identity the customer and the higher priced dealer could easily claim that the difference in quality accounted for the difference in price. Consequently the widely advertised goods which carry trade-marks everywhere known, and which are bought by most dealers, all of them serve more or less as leaders. That is to say, many of them do not yield satisfactory profits, unless specially protected, because of the directness of the competition of dealers with respect to them. The manufacturers have also created a new form of competition between dealers in different lines of trade. The majority of retailers have handled a restricted group of merchandise, as drugs, shoes, hardware or dry goods. There are many articles which cannot well be

sold by one not expert in the business. The druggist could probably not explain the operation of certain tools; the dry goods merchant would be dangerous as a compounder of prescriptions. Within certain limits, therefore, stores in different lines have not competed directly. There has always been, however, a class of goods so easy to sell that they have been carried by dealers of all sorts as side lines. The manufacturers have now succeeded so well in rendering the retailing of many of their wares simple, that they have vastly increased the list of articles which any dealer, regardless of his line, can sell. The consequence is that dealers of all types are introducing side lines taken from each other's field of trade. Reprisals are everywhere made, and so the number of competitors with whom each dealer has to reckon is increased. The manufacturer, by direct selling to large retailers, whether they be department stores or mail order houses, has put the small dealer, who depends upon the jobber, under a great disadvantage. This compels the jobber and semi-jobber, with the various classes of syndicate buyers, to take part in the confused competitive strife now prevailing in the distributive trades.

In this struggle, for which the manufacturers are largely responsible, it is interesting to see that appeals for help are made to them by the dealers. These appeals, through trade associations and otherwise, take the form of requests that the manufacturers should control the retail price at which their goods are sold, and in so doing protect and regulate the profit which the dealer is to receive. There has been considerable response to these appeals, since the manufacturer has a direct interest in the soundness and profitability of the business engaged in distributing his products.

From this has resulted a variety of plans by which the manufacturer can regulate retail prices and profits. One method is through the establishment of Exclusive Agencies. By this I do not mean the practice of giving an extra cash discount to dealers who handle no rival goods, a practice pursued by some concerns which are trying to perfect a monopoly, but I refer to the plan of choosing a dealer as agent in each market and making it impossible for his near-by competitors to secure the goods in question. The retail exclusive agency is the application of an arrangement long common between manufacturers and jobbers. The manufacturer regulates the price at which the goods are sold, and, since the outlets are



restricted in number, keeps up an aggressive advertising campaign to drive trade to them. Some articles sold in this way are tools, prepared paint, men's linen, dress patterns, shoes and silks. The exclusive agency prevents goods from being made common upon the market as leaders, and this pleases a certain exclusive element of the buying public. Its chief service, however, is to limit competition by providing one dealer only with the goods on each market.

A second way of regulating retail profits is by means of a Price Contract. This involves an agreement regulating the selling prices and signed by manufacturers, jobbers and retailers. Such agreements have been freely used in the sale of patent medicines, under the name of the N. A. R. D. plan, from the National Association of Retail Druggists. When there is printed upon the goods or their labels directions as to retail price and terms of sale, and these are worded to form a contract with any dealer who may purchase the goods, the arrangement is known as the Worcester plan. In the attempt to enforce these contracts by law, different interpretations have been encountered in various courts. In Massachusetts the Supreme Court has held that the fixing of the price of proprietary medicines is not contrary to public policy, and that as between the manufacturer and dealer the acceptance of goods billed makes the printed contract on their labels, regulating distribution, binding on the dealer as a part of the contract of purchase. In Rhode Island and Pennsylvania it has been held that the mere purchase or acceptance of goods by a dealer, without specific assent to a contract printed on them, does not bind him. Price contracts have been used freely in the sale of patent medicines, books and in the case of at least one celebrated brand of soap.

A third means of regulating prices, known as the Factor or Rebate Plan, is more elastic than the price contract. It has been used chiefly between manufacturers and wholesalers, but is equally applicable to retailers. According to this arrangement, after the proper contracts have been made in writing, a manufacturer sells to a dealer at a certain open price, giving the usual rebates for cash. It is agreed that the dealer shall sell at a given price, and the difference between this and the manufacturer's price involves a small, but unsatisfactory, profit for the dealer. At the end of a given period, say, six months, the dealer makes an affidavit to the manufacturer that he has not sold his goods at less than the mentioned price,

thereupon the manufacturer pays to him a per cent. of the original purchase price in the form of an extra discount, which, added to the direct profits of sale, makes the transaction remunerative to the dealer. The contract establishing these relations is so devised as to take the form of creating the relation of principal and agent between the manufacturer and dealer. The dealer is not bound to sell at a given price, but he is paid a bonus when he does so. The rebate plan has been most prominently applied in the sale of sugar. The so-called Whisky Trust at one time used it. It is now used in a number of the lines handled by grocers, such as soap and baking powder. The Pittsburg Plate Glass Company employs it.

Probably the most effective of the means now in use for regulating retail prices is called the Serial Numbering Plan. As used by a prominent manufacturer of medical preparations the plan involves, first, an exclusive system of distribution. Only authorized wholesale houses handle the goods, and they are under contract to sell only to the retail agents of the company. Every retail dealer, before he can purchase the goods, must sign a contract by which he becomes an agent of the manufacturer, and agrees not to sell the medicines to any other dealer who is not an agent at any price whatever, and to sell to others only at the authorized retail price. Second, the system provides a means of keeping track of goods. Each dozen of bottles sent to the wholesaler bears a certain consecutive number, and with it is a postal card having stamped upon it the same number. When the goods are sold by the wholesaler, he sends the card to the manufacturer with the name and address of the dealer to whom sold and the date. The retailer must not sell or otherwise dispose of a bottle until his firm name has been plainly written or printed across the face of each wrapper. By this means if a bottle of the preparation is anywhere sold at less than regular prices, and the manufacturer can ascertain the serial number, he can trace out the responsible agent. The latter, on proof of price cutting, becomes liable to the company for specified liquidated damages.

#### *Ownership of Retail Establishments.*

We turn finally to the last of the methods by which the manufacturer is making his power felt upon the finished products market. This is by the direct ownership and operation of retail establish-



ments. As a method of distribution this innovation is as little subversive of the usual equilibrium of trade as any irregular method. Each establishment takes its place simply as one among other competitors.

Let us consider the actuating motives as they present themselves to various classes of manufacturers. Take, for example, the sewing machine makers. In the sale of certain kinds of goods a somewhat elaborate demonstration is necessary, and, after sale, occasional repairs, both of which require the presence of an expert more skilled than the average storekeeper. Experience shows that these experts are best chosen, trained and superintended as direct agents of the manufacturer. When sales made in this way are of sufficient density to warrant the permanent location of an agent in a neighborhood, and when the articles are sufficiently attractive to make the opening of a public place of business with a stock room worth while, the system of traveling agents gives place to permanently located retail agencies. The firm controlling the largest number of retail agencies in this country is probably the Singer Company, which has eight hundred stores in the United States, besides many in other parts of the world. Automobiles, safes, phonographs and typewriters are sold in part by this system.

The case presented by the sale of carriages, wagons, plows and agricultural implements, generally is very similar to the above. Here an added motive for the direct control of retail agencies lies in the economy of shipment by car lots. An agency, because it pushes the make for which it was established and carries a full line of the goods, is able to take a larger proportion of its supplies from the factory in car lots than the average independent dealer. If, therefore, the goods to be distributed are very bulky, so that the question of car lots is important, the establishment of a few agencies in the chief markets may be profitable, because they will be able, through their own sales, to take goods in car lots, and they will also serve as transfer houses in distributing supplies to smaller markets. If numerous agencies are desired, to penetrate and hold a field, the expense may be lessened by selling the goods of other makers on commission. If the establishing concern makes plows, its agencies can add on and sell goods germane to a plow agency, such as reapers, wagons and carriages. By selling on commission car lots of assorted goods can be frequently sent out, keeping the stock fresh without overloading the agencies.

The direct retailing of shoes presents an entirely different case from that of agricultural implements. The general buying public has recently become familiar with retail establishments, owned by manufacturers, and which are stores in the usual meaning of the term. They are not as yet very numerous, and their establishment is not stimulated by any of the advantages which we have just considered. They are not practicable, except for goods which can be successfully sold by themselves in specialty stores (that is, they are impossible for articles like sugar or saws), and in this fact of depending upon specialty sale they meet their strongest check for the prevailing tendency which has originated among retailers, is integrating in its nature and is expressed in the department store. Furthermore, a system of retail stores operated by a manufacturer cuts him off from distribution through independent dealers, for the dealer will not buy of his rival in trade. There are arguments, however, which have apparently been deemed convincing to many manufacturers. A chain of stores absorbing the output of a factory, affords an independent outlet entirely free from the control of jobber or retail dealer. The maker also, by coming into direct contact with the customer through his agencies, has the benefit of the direct criticism of the user. He can from week to week follow the changes in demand as they effect styles. He can to some degree avoid the intensity of rush seasons and the idleness of dull ones in his factory by supplying his stores evenly throughout the season. The dominant argument in most cases is, however, undoubtedly the fact that it is only through the ownership of retail stores that the full profit of an extensive advertising campaign can be realized by the manufacturer. By means of retail stores he takes all of the highest retail price which the force of his advertising will induce the customer to pay. The stores themselves also are an advertisement. The independent dealer always wants his own name over the door. The manufacturer's store exerts its entire force as an harmonious element in the general scheme of publicity which is being followed. This principle which makes the store one means of realizing the profit out of the modern gigantic campaigns of advertising, helps to account for the shoe stores of Douglas and Means, the forty-five of Bliss & Co. and the twelve Crawford shoe stores. It applies to the Knox hat stores. Together with the desire to intrench a monopoly, it explains the policy of the American Tobacco Company

in effecting distribution through the United Cigar Stores Company and other firms.

It is worthy of notice that there is a tendency at work which in the near future may lead to an increase in the number of stores owned by manufacturers or combinations of them. This is connected with the growth of advertising. When a few manufacturers only are conducting strong advertising campaigns, they are conspicuous because they are the exception. When a large number of competitors besiege the public the conspicuousness of any one is lessened by the eagerness of all. We have, in this country, in a generation been introduced into an age of advertising. The very great advertisers are yet conspicuous because they are not numerous. But when the time comes, as it appears to be coming rapidly, that the multitude of great advertisers in any single line is so large that the average consumer is bewildered, then the retailer may again perform the service he once performed; he will choose for the customer and the customer will follow his advice. Under such circumstances, unless monopoly or some other combination of factors intervenes, the manufacturer will feel a strong motive to directly control retail establishments, and so get a step closer to the consuming public than advertising will bring him, and, if possible, distance his rivals.

### *Conclusion.*

In conclusion let me recall briefly the chief points in the situation I have tried to picture, which is one phase of our evolution from a raw material producing to a manufacturing nation. Because of its natural strength as a form of industry, and because of special advantages accorded it in this country, manufacturing has in recent years greatly increased its dominance in domestic commerce. In the raw material market this is shown, first, by the increased ownership of materials of fixed quantity, stimulated by the fear of monopoly and the trust movement. Second, for materials easily reproduceable it is shown by the advent of the manufacturer on the market of origin and the causes which have brought him there are, the unsatisfactory condition of materials offered, the necessity of taking part in financing the movement of raw materials and railway competition. The intermediate markets we have seen are being depleted by the withdrawal of manufacturing concerns from them,



which either became parts of non-competitive groups during the period of trust formation or have become attached to other industries as by-product or waste-utilizing manufactures. On the finished product market the dealer has been eliminated from some lines of distribution by direct selling, which advertising has made possible, or by the ownership of retail stores, the function of which is to secure to the advertiser all of the profit his advertising will create. In other lines of distribution the retail dealer has been deprived of many of his functions by the use of packages, trademarks, guarantees, printed directions and advertising. This has resulted in a smaller margin of profit for the dealer, and sharper competition because of the increase of leader goods and side lines. In his extremity the dealer has besought the protection of the manufacturer, and the latter, in many lines of trade, now dictates the retail profit and protects it by exclusive agencies, price contracts and the factor and serial numbering plans.

I have no wish to overemphasize the tendencies I have presented. Many of them are not as yet prevailing tendencies, but if all of them taken collectively establish the fact that manufacturing in this country is assuming an increased range of mercantile functions, it is a subject worthy of serious study. It involves the internal economy of businesses because, up to this time, it has been an axiom of trade that it is dangerous for a business man or a corporation to undertake two kinds of business the fundamental principles of which are entirely distinct. It involves also larger considerations of the national economy because the three great categories of industry, agriculture, manufacture and trade have in the period previous to this been distinct, and a change in the domestic market more fundamental than the coalescence of two of these or the dominance of one by the other would be hard to imagine.

## APPRAISEMENTS

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To obtain a clear understanding of the scope of this semi-technical business, it will be convenient to begin by defining the legal terms involved. To appraise is to value; to estimate the worth of; and an appraisal is a just valuation of property. Appraisements are required by law to be made of the property of persons dying intestate, of insolvents and others, when an inventory of goods ought to be made and a just valuation put upon them. An appraiser is one who sets a value upon goods; a person appointed and sworn to estimate a fixed value upon goods or estates; one who appraises or estimates worth of any kind, intellectual, moral or material; specifically a person licensed and sworn to estimate and fix the value of an estate.

Appraisers are appointed by the court in special cases coming before them, such as cases to fix the value of estates. These appraisers' duties end with the making of an inventory and appraisal of the property belonging to the estate. There are also standing officers appointed by the municipality, such as mercantile appraisers, whose duties consist in fixing the value of a business for the purposes of taxation; also custom house appraisers who place values on imported articles for the purpose of fixing the amount of duties to be collected on articles passing through the custom house.

The business of making appraisements is not connected with the courts or court business except so far as appraisers may be appointed by the courts from the staff of appraisal companies. The volume of the business comes from corporations and firms who desire an outside independent opinion of the values of their assets and from investment syndicates or companies who require an investigation of the plant or enterprise offered to them to finance. The making of appraisements as a vocation is related to the business man



much as is the work of the auditor or expert accountant. The appraiser and auditor are both experts in their line of business, whose services may be obtained by the public.

The handling of large matters requires capital in this line of business as well as in mercantile and manufacturing pursuits; thus the business of auditing has produced audit companies and that of appraising has produced appraising companies. As will be shown later, the proper examination of corporations calls for the services of both the accountant and engineer, so that these occupations, naturally closely associated, have been combined in a single organization.

Appraisements are made for the following purposes:

To charge the proper amount to receivers, trustees, executors, administrators and guardians.

To ascertain the proper amount of depreciation.

To fix the amount and value of a manufacturing plant in consolidation or mergers.

To ascertain the amount of cost of reproduction in case of fire, and incidentally to fix the proper amount of insurance.

To ascertain whether the materials consumed in industrial plants have been properly charged and thus to test the accuracy of book accounts.

To properly close business books; the exact value of stock on hand being ascertained for this purpose.

The expert accountant cannot alone audit the earnings of any business. The expert appraiser and the expert accountant must work together.

An appraisalment is an expression of an opinion in the terms of money. All articles of commerce are thought of with regard to their value in dollars and cents. No man can know the exact amount of money which he can obtain for merchandise until he actually sells it. The actual value of assets is the amount which they will realize in cash.

The exchange of money into goods and the subsequent exchange of the goods back into money constitutes trade and commerce. If the business man who parts with his money in exchange for goods is able to complete the re-exchange into more money than he had originally, he has made a successful business transaction. The object of an appraisalment is to ascertain the true position of a business by estimating the amount of cash which would be realized if the business were closed out and the assets converted into cash.

Appraisements are based upon an estimate of value. The natural prejudice which men have in favor of their own possessions, makes it difficult for them to express an unbiased view of the value of their assets. The expert appraiser is one who from his experience in calculating the value of things, can estimate without prejudice the realizable value of business assets.

While the ascertainment of the cash value of assets is the object of appraisements, it is not always based upon the immediate cash value. In a going concern the value of buildings and machinery may be much greater to the business as a going business than they would be if torn down and sold immediately. In such cases the true basis for appraisalment is not the actual cash realizable, but the value of the assets to the plant as a plant. It is largely a question of deducting the depreciation from the original cost. If a machine cost \$1,000 it is worth \$1,000 to the business, less the amount of wear and tear to which it has been subjected since it was purchased. The appraiser calculates the amount of life left in the machine at the time of his appraisalment, and that is the basis of his appraisalment. The \$1,000 machine if sold the second day after it was set up would sell as a second-hand machine, and its cash value would be much less than its cost price the day before.

#### *Appraisements for Proof of Loss by Fire.*

Appraisements for fire insurance purposes calls for another basis of values. After a fire, appraisements must be made to fix the amount of loss. With few exceptions, fire insurance policies are issued in what is known as the New York Standard Form. In the contract under this form the insured is required within *sixty* days after the fire to make a detailed inventory of cash and all the articles on which he claims partial or total loss. He must set out the cash value of each item and shall furnish, if required, verified plans and specifications of any buildings, fixtures or machinery destroyed or damaged. Many business men find difficulty in making a detailed inventory after a fire. While their books may show the total cost of the entire plant, the bookkeeping methods usually employed do not afford much assistance in listing the items of articles destroyed. To guard against this difficulty, the forehanded business man has the appraisalment made before the fire occurs. The expert appraisers

are called in to make a scheduled list of every article in his place of business; where factories are appraised usually floor plans are made showing the location of every machine of importance.

The basis upon which the inventory for fire insurance purposes is made, is the cost to the insured to replace the articles destroyed, including the first cost, the freight and cartage, and the labor of putting the article in position. Whatever the cost may have been originally is not important. The inquiry is directed to the cost of replacing the article at the time of the appraisement. A manufacturing plant may have been erected when the price of building materials and machinery were lower than the average market price. At the time the appraisement is made, the similar materials and machinery may be very much higher in price than the amount of original cost. The appraisement in such cases may produce higher values than the actual cost of the plant.

The question is not, "For what amount can these buildings and materials be sold?" It is rather directed toward the cost of rebuilding and equipping a plant in as good condition as it now stands. This basis is made necessary by the insurance companies who, under their contract, have the option of paying cash for the articles destroyed, or to repair, rebuild or replace the property destroyed with other of like kind and quality within a reasonable time.

#### *Appraisement in Conjunction with Audits.*

When an auditor begins an examination of a corporation's books, he usually counts the cash on hand and verifies the balance in bank. If the corporation holds stocks and bonds as an investment, the auditor will verify the existence thereof by actual count. It is rare, however, that he takes account of stock on hand or calculates the actual value of the building or machinery. The reason is two-fold: first, the management objects to such an inspection, claiming that there can be nothing wrong with the stock or other plant assets; second, very few accountants have the ability or training to do such work.

The auditor can certify that the financial statements of the company agree with the books, and in many cases the auditor confines his certificate to some such expressions, but where there is a question of earnings or where the true worth of a plant is sought, the account-



ant, as a rule, cannot conscientiously certify thereto without the assistance of expert appraisers. There is really no more reason why an accountant should count the cash than count the stock, except that it is easier to verify the actual cash than to inventory and value the stock. A question of ease cannot affect or destroy a principle.

In past years the accountant's services have been used chiefly to detect petty defalcations, but of late, accountants are relied upon to do more than this, and, whether justly or not, the actual fact depending upon the terms of the accountant's employment, the investing public believes that when an accountant certifies to the correctness of the books he in reality is certifying to the fact that the books show the true financial position of the company under examination.

### *Audit of Earnings.*

While the audit of the books of a corporation will disclose and uncover many irregularities and falsifications, if they exist, the earnings of a corporation cannot be satisfactorily ascertained merely by checking up or auditing a set of books. Concealment of operating expenses is frequently accomplished by the failure or omission to charge to the operating expense accounts all of the supplies and materials actually consumed. If the officers of a corporation wish to make a good showing, they can neglect to enter on the books many items of expense and the omission may not be detected.

In a traction company it is customary to charge to supply account a large number of small articles which are purchased to be used when required. If the books are properly kept, the proper expense account will be charged with each and every article taken from the storehouse and used in the maintenance of the road. The supply account is credited with the amount charged to the expense accounts and the balance in the supply account should always equal the amount of supplies on hand. If articles are actually used and not charged to the expense account, the result is a false statement of affairs. First, the operating expenses have been understated; and second, the assets on hand have been overstated, since the supply account is carried on the balance sheet as an asset. Then again, supplies consumed may be charged to construction account and not to maintenance account. In such a case, a thorough detailed audit would probably reveal the misdirection of the charge, but it might

not reveal the omissions, as the entries would not be in the books at all. At all events the accountant would have to go into much greater detail regarding the records of the supply room than is usually done, and there he might or might not find the accounts kept in such a manner as would enable him to trace misdirections and omissions.

The expert appraiser would take an account of all the supplies on hand. If the supplies were being consumed without the proper entries being made, the total of the amount on hand would be less than the amount called for by the supply account. Where supplies were being consumed in maintenance and improperly charged to construction, they would also be disclosed by an expert examination of the plant.

The corporation officers may not desire to show the full amount of the earnings of a company. A secret reserve may be accumulated without the knowledge of the auditor. The books may be carefully checked up and yet the stockholders may be improperly denied dividends actually earned. This is accomplished by several methods, one of which is charging off too large an amount for depreciation. Another is to charge expense accounts with items of capital expenditure. Such methods are used for stock jobbing purposes and are facilitated by the auditor's certificate that he finds the books correct. The appraiser examines the buildings, machinery, supplies and materials, and the auditor examines the books. A joint examination by the two experts is absolutely necessary to fix the true earnings of a corporation.

#### *Over-Valuation of Plants.*

Where the assets of a manufacturing plant are overvalued on the books, how can the expert accountant detect it? It is not his function to examine the physical assets. This duty belongs to the expert appraiser. The public does not seem to realize that the books of a corporation may be in fine condition so far as the bookkeeping methods and customs go, and yet the corporation may in reality be bankrupt. The certificate of the accountants that the published reports agree with the books is taken to mean more than it says. Some of the recent industrial collapses were preceded by statements showing the affairs of a corporation to be in good shape. These statements contained the accountant's certificate and yet the corporation bubbles collapsed. All accountant's certificates should be



scrutinized to see whether they state that the assets are worth all that the books call for.

A small railway company was examined by order of a committee of bondholders. The books were carefully audited and found to be in proper form, and so far as could be seen by the accountants, were correct. On the balance sheet appeared an item of \$100,000 called "supply account." The account supposedly represented the amount of miscellaneous supplies on hand not yet used in the operation of the railway. In railway bookkeeping the operating expenses are divided into various classified expense accounts and the cost of articles consumed in the operation of the road is charged to the expense account according to the expense classification. It is the custom to purchase supplies ahead of the actual needs and charge the cost of such articles to a general supply account. When the articles are actually needed they are taken from the store-room and charged to the proper account, at the same time being credited to supply account at cost. The result of this method is to show in the balance of the supply account the actual amount of unconsumed supplies.

In the case of the company under examination the supply account stood on the ledger as an asset of \$100,000 and, so far as the accountant could discover, the books were correct, but he asked that an inventory be taken of the supplies as a precaution against a possible overstatement of earnings on the books. The inventory revealed a shortage in the supply account of \$47,000. In other words, instead of having on hand the \$100,000 that the books called for, the store-room contained as a matter of fact a total of only \$53,000. The investigation that followed disclosed the fact that large amounts of supplies were consumed every month without being charged at all. If these supplies had been properly charged to the operating expenses, the earnings of the company would have shown \$47,000 less, but the management did not want the earnings to show less than reported and this was their method of inflating the earnings.

In another case where the plant was offered for sale, the books were carefully audited and certified as being correct, but an appraisal of the plant made shortly after by experts showed that the value of the plant carried on the books was about three times greater than the real value. The balance sheet showed a prosperous condition according to the books, but the adjusted statement of assets revealed an insolvent condition.

The expert accountant's certificates in such cases are not worth so much as the public apparently believes. The true condition can only be discovered by an audit in conjunction and concurrent with an appraisalment.

### *Appraisalment Methods.*

The business of making inventories and appraisements is conducted by a staff of experienced experts in general machinery and construction. A mechanical engineer, builder, draughtsman, clerks and trained mechanics constitute the general staff, and these men are competent to inventory and appraise all ordinary buildings and machinery. In cases of special machinery or construction, a proper understanding of which calls for extended experience in special lines, the special staff is called upon for experts familiar with the particular kind of machinery under examination.

This special staff consists of experts experienced in special technical lines, and men of recognized authority in their own fields. Arrangements are made with such men by which their services can be obtained as required for a *per diem* compensation. As an illustration: In a stove foundry the style of stoves changes frequently. New patterns are constantly required, the old patterns becoming obsolete. The men on the general staff can inventory all the machinery, tools and fixtures, and appraise everything excepting the patterns and the manufactured stock of stoves. It requires a man experienced in a stove business to properly value these things.

When an appraisalment of a manufacturing plant is contemplated, and the proprietors wish to know the cost, the appraisalment company sends a representative to go over the plant. He estimates the time required to take down each and every article and put a value upon it, and he determines from the nature of the plant the kind of men required to do the work. After this calculation is made, the price is fixed and if accepted, the work is begun in due course.

The circumstances surrounding each plant call for variations in method of procedure, but ordinarily the men selected to make an inventory consist of an expert mechanical engineer with a clerk, and in cases where heavy articles must be moved to facilitate examination, one or more laborers.

Specially ruled paper is prepared in advance with convenient binders which also form a backing for the sheets. The expert, familiar with the machines under examination, calls off a description of each machine and other articles, room by room, floor by floor. The clerk who follows him about takes down the descriptions as called to him. This is continued day after day until every article in the plant is listed, from a huge engine to the waste paper basket in the office.

At the same time the architect engineer makes sketches of the buildings and floor plans of each floor, taking measurements and descriptions sufficient for the draughtsman to draw a set of plans, showing the construction of each building and the location on each floor of all large machines. Generally all power-driven machines are tagged and numbered. A corresponding number is inserted on the plans and in the inventory. When the report is complete, the manufacturer can locate on his plan the position of every machine, and by referring to the machine number in his inventory, can easily find a full description of the machine with the value placed thereon.

### *Consolidations.*

When several manufacturing plants are consolidated, the question of the proper price to be paid for each plant entering the consolidation is at once raised. If the price is not too great, the earnings of the consolidation should be larger than the aggregate of the earnings of all the constituent companies. Besides the advantage of control of production, the savings which can be made would naturally tend to increase the profits. But the natural desire of the owners of the individual plants to obtain the greatest possible price leads to the danger of over-capitalization. This tendency is naturally increased by the large fees for services charged by the consolidation promoters.

In cases where the promoters are determined to over-capitalize, the expert appraiser's services will not be used. But where it is the desire of those interested to come together on a proper capitalization, the appraisal of each plant in conjunction with an audit of the books of each company, will fix the proper amount to be paid each constituent company as well as the proper total capitalization, in a more satisfactory way than can be done by any other method.



The president of one of the large trusts which are now in the hands of the receivers, is reported to have said on the witness stand that "certain styles of bookkeeping will show earnings under any circumstances." In view of the large number of corporation collapses which occurred during the past year or two, this expression of opinion is very important, coming as it does from the president of one of the largest of the wrecks. If the purchasers of the stocks and bonds of the trust referred to had insisted on an appraisalment of the plant before investing, they would have retained their money, since the receiver's report shows over-valuation of the assets and mis-statements of the earnings. The Receiver is said to have characterized the trust as an "artistic swindle."

As an illustration of the extent to which some manufacturing corporations are over-capitalized, the facts concerning one small company are given. A statement of assets and liabilities was prepared from the books, as follows:

*Assets.*

Plant, machinery, tools and fixtures .....	\$175,000.00
Materials .....	1,200.00
Cash on hand .....	760.50
Accounts receivable .....	2,312.82
Treasury stock .....	75,000.00
	<hr/> \$254,273.32

*Liabilities.*

Capital stock, common .....	\$125,000.00
Capital stock, preferred .....	125,000.00
Accounts payable .....	2,416.80
Surplus .....	1,856.52
	<hr/> \$254,273.32

The management offered a block of the treasury stock to a capitalist, who asked to be allowed to have an audit of the books made. The books so far as the entries were concerned checked up all right. The company had been formed about six months prior to the examination and the opening entries were regular. A comparison of the amount carried as plant with the minute books of directors' meetings showed that the directors had regularly passed upon the purchase of the plant for the amount at which it was carried (\$175,000) paying for the same by the issue of all its common stock and \$50,000 of its preferred stock.



This accountant was curious enough to wish to inspect the plant. The investigation which followed disclosed the fact that the officers of the corporation had been in business in a small way prior to the incorporation, with a total of visible assets amounting to not over \$10,000. As directors of the corporation they issued \$175,000 worth of stock to themselves for the assets and business, and retained \$75,000 preferred stock to sell to their friends.

Prior to incorporation they had a hard scratching to make a living out of the business. The promoting fever struck them, and they became easily convinced that the proper way to make money was by the adoption of the principles of high finance.

A readjusted balance sheet was prepared by the accountant as follows:

*Assets.*

Machines and tools .....	\$7,000.00
Book accounts good .....	1,720.08
Cash on hand .....	760.50
Materials .....	700.00
	<hr/> \$10,180.58

*Liabilities.*

Accounts payable, on books .....	\$2,416.80
Accounts payable, not on books .....	1,436.00
	<hr/> \$3,852.80

It will be seen that the real capital of this company was about \$6,000 at the time of the examination; and its nominal capital \$250,000 less the \$75,000 carried in the treasury, or, \$175,000. While the stock was originally in the hands of three men they had sold to a considerable number of their friends shares issued to them for the plant and had made the investment attractive by offering two shares of common as a bonus with every share of preferred. At the time of the examination the stock was held by this considerable number who had been let in on the ground floor. The business as a very small affair produced a small income. These financeers were not willing to content themselves with the living and wanted to sell out. The stock was not selling as rapidly as necessary for their purpose. Hence this attempt to sell some of the treasury stock, because the sale of the treasury stock would produce money for the company and a little boom in business would make it easier for the managers to dispose of their own stock.

## BANK DEFALCATIONS—THEIR CAUSES AND CURES

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The banking business offers greater temptations for the abstraction and wilful misapplication of assets than any other calling. This can be explained by the fact that the only commodity dealt in is money, or that which is payable in money, rather than commodities of general use, which to be of any value to the person acquiring them must be converted into money. This conversion is always attended with some difficulty and risk, as the commodity can ordinarily be identified. In the case of money, however, no conversion is necessary and this element of risk is eliminated.

Bank defalcations can be divided into two classes. Those for which the officers of the institution are responsible, and those made by the clerical force. The defalcations by officers can be traced to a variety of causes, among which might be mentioned the following:

The using of bank's funds to promote enterprises in which the officers of the bank are financially interested.

The using of bank's funds for speculation in stocks, grain, cotton, etc.

The using of bank's funds for gambling purposes, for betting at the race track and for extravagant living.

The advancement of the political ambitions of its officers.

Negligence of directors in allowing officers to use the funds, under the guise of loans, to a criminal extent.

Assistance rendered by the clerical force of the bank through their lack of observation of the criminal acts of the officers or their criminal silence.

The want of a rigid enforcement of the criminal laws by the courts.

In a recent address of the Comptroller of the Currency, Hon. William Barret Ridgely, at the convention of the Illinois State

Bankers' Association, among other forcible, sound doctrines annunciated, said:

No national bank whose officers strictly obeyed the National Bank Act ever failed, not one. It may almost be said that not one which did not make loans in excess of the 10 per cent. limit has ever failed. The practically universal rule is that all failures are due to excess loans to one interest or group of interests, generally owned or controlled by the officers of the bank itself.

In the Comptroller's office, when any question is raised in regard to a bank and the examiner's reports are sent for, the first thing looked at is loans to officers and directors, and then excess loans. If the officers owe the bank little or nothing, and there are no excess loans, it is seldom necessary to look much further, for the bank is almost sure to be found in good condition. There are rare cases of sudden flight of bank officers, disclosing unexpected forgeries, defalcations or theft of money, leaving the bank a wreck, but these are almost invariably the last of a chain of misdeeds beginning with the loaning of undue and illegal amounts by the officers to themselves or concerns in which they are interested.

No one familiar with the subject will controvert the above statement. The examination by the department of justice of our government, made by its expert examiners, of the books of failed national banks, confirms the above statement and in addition shows that, without a single exception, had there been an expert examination made of the books of the bank the shortage, by whatever name it is designated, would have been discovered long before it grew to anything like the proportions that many of them did before the bank collapsed.

Among the first things that the average promoter does is to interest some officer of the leading bank in the locality where the business is to be located, or the stock or bonds of the corporation are to be sold to the public. In some instances the officer is prevailed upon to invest all of his available cash in the enterprise, which, in many cases, is a comparatively small amount, but which represents many years' savings from a small salary; while in others he is made a present of a certain amount of the stock of the corporation, which, he is assured and verily believes, will be the beginning of his march along the financial road which will shortly land him at the millionaire's mile post.

In many cases the bank officer is made an officer, a director or a member of the advisory board of the corporation, which fact is



heralded to the world with all the advertising skill of the promoter, and upon the reputation of his good name many are induced to become stockholders. This is more strikingly the case in smaller cities and country localities, but the large cities are not free from it by any means.

Many a defalcation which has caused the bank's failure is traceable to its officer's interest in some outside enterprise, and the beginning of his downfall dates from the day he made the first investment. One of the main reasons which animated the promoter of the enterprise in financially interesting the banker was that if at any time the concern required financial assistance, which is invariably the case, it could readily be obtained through him from the bank of which he was an honored and trusted officer. Experience shows that what was at first a small financial assistance soon increases in amount until the point is reached where it means disaster to all parties interested if additional aid is not given. Then it is that the demand for money must be met to prevent the bankruptcy of the corporation, which means the loss not only of the money invested by the officer and his many friends, but also the loss of his reputation as a financier and a banker of integrity.

It often happens that instead of becoming financially interested in new projects or outside business enterprises, the bank officer succumbs to the seductive influences of speculation. He tries his hand in the stock, grain or cotton market with the belief that in this way he can amass a fortune in a short time and without effort.

He pursues the same method that is followed by those who buy or sell stocks, grain or cotton on a margin. His whole idea is to "get rich quick," and in order to accomplish this he either buys or sells the largest amount possible with the smallest amount that his broker will accept as margin. A slight adverse change in the market price of the commodity or security in which he is speculating wipes out his margin, and a call from his broker for additional margin to carry the transaction must be met. Having exhausted his own money, and being convinced that his ideas as to the future course of the market are correct, he makes the false step of "borrowing" money from the bank and using it as margin with his broker.

It is only a question of time, varying according to the size of his operations and the fluctuations of the market, before he is hope-



lessly involved and financially unable to return the money of the bank which he has used. He now speculates more wildly than before, and upon a much larger scale, with the hope that one fortunate turn of the market will enable him to make enough money to square himself with the bank. In his case history only repeats itself. He went into the market as a lamb and in consequence is thoroughly fleeced.

In some cases the gambling house presents more attraction than the stock, grain or cotton market, but it is not often that this means of acquiring wealth is resorted to by the bank official, as it is not considered by many as reputable as speculation.

Closely associated with the gambling house is the race track, which to some has a fascination that is almost irresistible. The number of persons who bet upon a certain horse to win, upon a "dead sure tip," can be counted by the myriads. This method of gambling is resorted to to a greater extent by the clerical force of the bank than by its officers.

A large bank in an eastern city was wrecked through the speculation of its president in stocks; another one through speculations of its cashier in the same market. Some years ago a large bank in the middle West was wrecked by its vice-president in an attempt to corner the wheat market; while a bank in a southern city was wiped out of existence by its president's and cashier's speculations in the cotton market. The number of cases that could be cited are innumerable, and there is not a section of the country that has escaped. The number of bank wrecks piled upon the financial beach is a silent monument to this truth.

Many bank officers feel that they must maintain a certain social position in the community in which they live, and to do this many live beyond their income. They attempt to indulge in the extravagances practiced by their wealthier business associates, with the result that they use the bank's money with which to do it. The failure of a certain national bank revealed the fact that its cashier was indebted to it in a sum exceeding one-half of its capital, and that a large portion of the money obtained by him from the bank was used in extravagant living. He maintained a palatial home; his family dressed extravagantly; they entertained lavishly; he kept many fast horses, and indulged in various other forms of expensive luxury. All of this was ostensibly done on the moderate salary he received.

Some bank officers labor under the delusion that to be a factor in the community in which they live, they must enter the "political arena." They strive for a high political office. The bank officer soon exhausts all of his own money in his campaign, and next uses the money of the bank which stands ready at hand. The desire for political preferment has turned the head of many a man, and bankers are not insensible to its influence. The ambition of a president of a certain national bank to be the political leader of his party and the mayor of the city in which he lived, caused him to use the bank's funds to further that end to such an extent that the bank was forced to suspend, which entailed a severe loss upon its depositors and stockholders.

Bank officers whose directors do not direct are very often tempted into the use of bank funds under the guise of loans. In all probability they would not have broken the law if the persons selected by their fellow-stockholders to hold the office of director had been directors in fact and not in name only. A director is a trustee and he cannot fulfil the trust he assumes without knowing that the affairs of the bank are being properly administered. How can he do this when he leaves the management almost exclusively to the president or cashier? The number of banks wrecked by its officers because of directors not directing is exceedingly large.

No president, vice-president, cashier or assistant cashier of a bank can use the funds of the institution for his own use without the same being known to at least a portion of the clerks, and it is through their silence, either wilful or the non-observance of what is being done in their presence, that bank officers are enabled, and in many cases encouraged, to take the funds of the bank. If bank clerks would do their full duty there would be fewer cases of defalcations by bank officers than at present.

It is an undeniable fact that the laxity with which the criminal laws of our land are enforced by many of the judges of our courts has much to do with encouraging bank officers to criminally use bank funds. They see in too many cases how difficult it is to convict a bank official who has misappropriated bank funds when defended by a shrewd criminal lawyer, and they are therefore willing to take the chances of detection, and if detected the results of a trial before a judge whose interpretation of the law, the admissibility of evidence and the charge to the jury are all in favor of the

accused. It is only the fear of the law that keeps those from violating it who are not actuated by high motives of right, and judges should be loath to have the charge of the lax enforcement of the law laid to their doors.

While the bank officer is surrounded on all sides by temptation, and some criminally use the bank's funds, one must not for a moment think that they are the only ones connected with the institution who are subject to temptation and who, far too often, listen to the voice of the tempter and become defaulters. Every clerk in the bank, whether he handles a dollar of the bank's money or not, is subject to many, if not all, of the temptations that beset his superior officer. The defalcations by the clerical force of banks can be traced to nearly all the causes enumerated as being the cause of defalcations by officers, and also to a variety of other causes, among which are the following:

1. Temptations offered by loose methods of conducting the business of the bank or of keeping its books and accounts.
2. The lack of proper supervision by officers and directors.
3. The criminal using of bank funds by its officers without detection and punishment, encouraging clerks to do likewise.

Many a bank clerk who has been unfaithful to his trust and has used the funds of the institution with which he was connected for speculation in the stock, grain or cotton market, or for games of chance at the gambling house, or for betting at the race track, or for extravagant living, etc., has been encouraged to take his first false step by the loose manner in which the affairs of the bank were conducted and its accounts kept. He saw the slipshod way in which things were done by every one connected with the bank, that clerical errors in the books were not located and corrected, and that general mismanagement prevailed. Is it any wonder that he used the funds of the bank and took the chances of detection with such a condition of affairs surrounding him? The marvel is that, under such conditions, more do not succumb to temptation.

Another cause of defalcation by bank clerks can be ascribed to the lack of a proper supervision of their work by the officers and directors of the institution with which they are connected. The bank may be well managed in all other respects. The officers and directors may loan its funds judiciously and well, be very attentive to the patrons of the bank and on the alert to add to its already large



list of customers. But all of this will not counterbalance the evil results arising from the lack of supervision. The number of defalcations traceable to this cause is undoubtedly large.

In detailing some of the causes of bank defalcations by the clerical force, the criminal using of bank's funds by officers without detection and punishment is one which should not be overlooked. Many a bank clerk who sees the president or cashier of the bank with which he is connected using its funds in speculation or business projects to a criminal extent, and doing so with perfect impunity, as far as the board of directors is concerned, is induced to do the same thing. He sees how easy it is for the officer to get the money of the bank, and he learns the methods he adopts in an endeavor to conceal the fact. He hears of the enormous profits that the officer has made in speculation and what not. He knows that this has been going on sometimes for years without discovery. He therefore concludes that what the officer can do the clerk can do also. He takes a "flyer" in the market and uses the funds of the bank to margin the transaction.

The bank clerk defaulter, when his crime is discovered, is generally brought to the bar of justice to answer for his misdeeds. He is usually convicted. He has no influential associates to use their power to shield him. He has no money or wealthy relations or friends who are willing to furnish money with which to employ able criminal lawyers to defeat the ends of justice. The bank officer having what the bank clerk lacks, often escapes the just punishment his criminal acts demand.

The reader must bear in mind that there are no cures for all kinds of defalcations, but they may be reduced to a minimum if banks are properly managed. The cures that are suggested for defalcations arising from the causes discussed are as follows:

1. Directors directing, being more than figure-heads in the management of the bank's affairs.
2. The employing of a sufficient clerical force to properly record the daily transactions of the bank. The non-use of all short-cut methods of accounting which are at the expense of safety.
3. The using of a system of accounting that is surrounded with every known device for safety.
4. The thorough overhauling of the books of every department of the bank by expert accountants at irregular and frequent periods.



5. The realization by directors that examinations made by the official examiner afford little protection against dishonesty of employees, and at best is too hurriedly made to be of much value.

6. Prohibiting bank officers from borrowing money from the bank with which they are connected, except upon the most approved collateral, and the approval of such loans by the board of directors by a formal vote at a meeting of the board.

The number of directors of the banks in the United States who do not direct is much larger than might be supposed, and usually it is the bank where directors are impotent that is looted by one or more of its officers or clerks. Where directors direct, defalcations are almost unknown.

The employing of a sufficient clerical force to properly record the daily transactions of the bank is a cure for defalcations that must not be ignored. Too many officers of our banking institutions are attempting to conduct their business with an inadequate clerical force who, to keep up their work, resort to every kind of hieroglyphic entry that their fertile brain can devise. The non-use of all short-cut methods of accounting, which are at the expense of safety, is a cure for defalcations that can be prescribed to advantage. A large number of defaulters resort to false entries upon the books to conceal their shortage. The use of short-cut methods of accounting makes falsifications easier of accomplishment and harder of detection. Short-cut methods are the bank thief's friend and are welcomed by him. Any one familiar with the English system of bank accounting knows that such methods are not tolerated, and if our banks, instead of gradually drifting away from the point of safety, would adopt the English methodical methods of recording transactions they would be better off in the long run. Defalcations in English banks are almost unknown. Does any one for an instant suppose that the English bank clerk is more honest than his American cousin?

The using of a good system of accounting is undoubtedly a cure for many kinds of defalcations. The system used should contain every known device for safety that the ingenuity of the expert accountant can devise. It should fit the requirements of the business. A system that would be a success in one bank would be a flat failure in another and *vice versa*. The volume of the business

transacted, the method of conducting it and the number of clerks employed to handle it are all factors that must be considered in devising a system of accounts. The system of accounting that was used forty years ago, and in a number of cases used to-day, is almost worse than useless. It lacks the safeguards which the improved systems of to-day provide.

The thorough overhauling of the books of every department of a bank by expert accountants at irregular and frequent periods is considered by those who have made a study of the subject as being one of the best, if not the very best, cures for defalcation that can be suggested.

Comptroller Ridgely in commenting upon this subject, in his address previously referred to, said:

The directors should have frequent thorough examinations made by committees of the board or experts employed for that purpose. These should be made independently of the active officers of the bank and with all the incredulity of the proverbial Missourian, everything should be shown and no man's word taken for anything.

Every clerk and every officer of the bank should be examined and checked up as thoroughly as possible, and required to show the examining committee or the auditor just how the matters in his charge stand. No man who is in a position of trust has any right to resent such an examination, and one who has a proper appreciation of the relation he bears to those who have reposed trust and confidence in him will welcome such an opportunity to show that he has been faithful and efficient.

If all boards of bank directors would do their full duty in the way here outlined, bank failures would almost come to an end. Banks would, of course, make losses and occasionally one might fail, but it would be rare, and the result of very unusual bad judgment and incapable management. We would very seldom have such sudden and sensational failures of banks, looted from the inside by men who have stood high in their communities, and even thought to be models of honesty and trustworthiness.

The Hon. James H. Eckels, ex-Comptroller of the Currency and president of the Commercial National Bank of Chicago, in speaking upon this subject, said:

I believe that a bank cannot make a better investment than to have an independent audit made by an expert, both for the benefit of the officers and directors. To such independent audits can be given more time and a more complete analysis of the condition of the bank being examined than under the ordinary examination made by the directors without the aid of an expert.

The Hon. Charles G. Dawes, ex-Comptroller of the Currency and the president of the Central Trust Company of Illinois, of Chicago, expresses himself upon this subject as follows:

In reference to the advisability of a periodical examination of the affairs of banks and trust companies, made by experts, for the benefit of the officers and directors of such institutions, I will state that I deem such a course as most advisable. While in the larger cities the public examiners have, as a rule, a compensation sufficient to enable them to make a proper examination, the National Banking Act in its provision for compensation of examiners outside of the central reserve cities in effect places a premium upon hasty and incomplete work. This defect has been recognized by most of the Comptrollers of the Currency, and the attention of Congress invited to it. However, both in the central reserve cities and elsewhere, a periodical examination by experts of the affairs of banking institutions I deem important.

The examination by the expert accountant furnishes an additional protection to the banker against dishonesty; it is a necessary supplement to the work of the official examiner; it improves the tone and efficiency of the working force; it improves the system of book-keeping; and it increases the confidence of the depositors and stockholders.

Few realize in how many ways a bank may be defrauded by its officers or clerks. A large volume could be written on "how to rob a bank" without exhausting the subject. There are few banks in the United States which have not suffered some loss from the dishonesty of an officer or clerk. Why will banks wait until they have sustained a severe loss through the dishonesty of a trusted employee before having their books examined by an expert accountant? To the prudent business man the question is unanswerable. There is no bank which does not receive full value in the security of its business for the money which it spends on an audit by an expert accountant.

The official examinations as now conducted are of little value against the dishonesty of employees. They are not thorough enough and are too hurriedly made. There are 75 national bank examiners in the United States to make 10,914 examinations each year, or an average of 145 to each examiner. Assuming that all the examiners are steadily employed every day in the year, excepting Sundays and legal holidays, when the banks are closed, they can devote on an average only two days to each examination. Even the largest



banks, with hundreds of employees and thousands of accounts, are examined in a few days.

The audit of bank books by expert accountants is comparatively a recent development, but it is rapidly being adopted by conservative bankers everywhere. It furnishes the best safeguard against dishonesty, the best means of improving the administrative service of the bank, and is a strong bid for public confidence and support. The bank that surrounds itself with every safeguard is in the strongest position to command the banking business of the community.



## SPECIALIZATION IN MANUFACTURE

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BY ALEXANDER E. OUTERBRIDGE, JR.,  
Philadelphia.

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During the past quarter of a century radical changes have taken place in the principles and practice of manufacturing. Methods in vogue twenty-five years ago would not be tolerated to-day, and those which obtain to-day would not have been countenanced then. The conditions have changed to such an extent that it means practically a revolution. Text-books that were used a quarter of a century ago are now obsolete, because they teach methods and principles that are fundamentally wrong according to the lights we have to-day; they are interesting historically, but practically they are worthless.

The industrial structure may be compared to that of a tree. The organization of the industry corresponds to the roots, the common basis and development to the main stem and the special lines of manufacture, which are from time to time added as the business grows, correspond to the branches of the tree. Formerly it was the ambition of the manufacturer to add as many new branches as possible to the main stem, so that the plant might cover a larger field, and also because of the supposed advantage that in case of a temporary falling off in demand for products of one kind, the establishment might be kept occupied continuously through a balancing demand for another product. Thus the manufacturer went on, year by year, adding branch after branch to his business, until the concern which may have started in a very small way, indeed, grew to great dimensions, spreading over many lines of industry. The catalogues of such establishments sometimes cover hundreds of pages, and include a vast variety of implements or goods.

This plan undoubtedly possessed certain advantages, but it also had serious drawbacks. In the case, for example, of the manufacture of machine tools, where a great variety of machines,

such as lathes, planers, etc., are made, of different sizes and shapes to suit the wants of many customers, the result is, sometimes, the accumulation of an enormous stock of costly patterns and fixtures, which are kept in storage for years, perhaps without duplicate orders therefor, and these are finally destroyed to make room for other similar but newer accumulations. When a single new machine is ordered, it is customary to make duplicates of many of the parts. These duplicates are carried in stock for future use, sometimes for years, until, in fact, the design becomes obsolete, and then the patterns, fixtures and duplicate parts, which represent a large original investment of money and a continual expense for interest, storage, insurance, etc., are condemned to the scrap heap. Until this time arrives these patterns, castings, duplicate parts, etc., appear as "assets" on the books of the concern, often at a false value, for the annual allowance made for "depreciation" does not cover the ultimate loss due to obsolete fixtures and machines.

Partly as the result of experiences of this nature, specialization in manufacturing has become a prominent feature in recent years, resulting in an astonishing decrease in cost and increase in production. Specialization in manufacture means that the manufacturer selects some article or product for which there is a heavy or a constant demand, and through devoting his entire capital, energy and ability to its development and the betterment of the methods or appliances of its manufacture so reduces his costs on it as to be in at least partial control of the trade. A few illustrations, taken from actual experience, of the advantage of quantity manufacture and undivided attention will be in point.

First. To show the difference in cost where the same machinery and appliances are used, but the quantity is increased. In making two oil pumps for hammer cylinders the cost is \$20.19 each; the same pumps in lots of twelve cost \$6.12 each, a reduction of 69 per cent., due largely to the increased quantity, and this reduction could be substantially increased if the quantity should be further increased.

Second. To show the difference in cost where different machinery or improved processes are used.

For making one hundred  $\frac{3}{4}$  inch by 4 inch hexagonal head finished bolts, on a modern turret lathe, by reducing the body of the bolt from a commercial bar of hexagonal steel of a size required for

the head, the cost is \$15.84. Similar bolts are now made by a machine-screw company by welding electrically the head (cut from a bar of hexagonal steel) to the body of the bolt, made from a piece of cold rolled steel the exact diameter of the bolt, and sold for \$5.88, which shows a saving in favor of this process of approximately 63 per cent.

Third. Where an entirely new process is used. The instance taken is that of the manufacture of cores for molds, where the specialization developed a new process or made it advantageous to apply it. Certain cores which formerly cost \$1.18 each, now cost 30 cents each. Others which formerly cost 56 cents each, now cost 14 cents each; others which formerly cost \$6 each, now cost 90 cents each, and so on.

When Edison first made the small incandescent electric lamps, consisting of a carbon filament fixed by platinum wires in a pear-shaped glass bulb, from which the air had been exhausted, the cost was \$3 each; now there are many million similar lamps of better quality made each year and sold at less than 20 cents each. Formerly watches were made by hand and were costly luxuries; now they are made by machinery in lots of a thousand at a time, and the cost of a new watch, that will keep fairly good time, is less than the cost of having an expensive watch cleaned. The same principles apply in all lines of manufacture, and it has been found that reduction in cost of production, due to specialization in manufacture, is naturally followed by increased demand, for the simple reason that each successive reduction brings a new class of consumers or purchasers into the market, and a commodity which was regarded as a luxury of the few when the cost was relatively high, becomes a necessity of the many when the cost is reduced to a sufficiently low level. When the cost has descended to the point which is necessary to establish this condition, the demand for the commodity becomes permanent, subject to occasional temporary fluctuations following variations in the general prosperity of a community or the passing of the fad if it be one.

There are, of course, dangers of overproduction in this modern system of specialization, of which we have had many evidences of late, but it seems to be pretty well recognized that the secret of success in manufacturing lies largely in concentration of effort, in developing the plant to the highest degree, so that a superior product may be turned out at a minimum cost.



This implies a complete modern equipment of machinery and modern methods of management. Formerly old tools were venerated; now they are ruthlessly cast away as soon as superior machines can be obtained.

Not long ago a well-known English manufacturer visited this country to inspect our methods, and on his return he was asked "What is the secret of America's success in manufacturing?" His reply was the single word "scrapping," by which he meant that all appliances were considered obsolete in this country and condemned as soon as new improvements were found. It may be stated as a general proposition that if a new machine be invented which will, by increasing the output only 10 per cent., reduce the cost an equal amount, it pays to scrap the old machine. In many instances improvements have been made which have reduced the cost of manufacture over 50 per cent., and herein lies also one of the dangers of specialization in manufacture.

An establishment may have its capital tied up in a complete outfit of machinery designed to produce one article at the lowest cost, for which there may be a constant demand at a remunerative price. Then an ingenious inventor may design a new machine, or devise a new method of manufacture, which will, perhaps, produce better goods at far lower cost, and the utility of the old plant is at once destroyed. Its costly machinery may be of little or no value for any other purpose, and so a hitherto profitable industry may be wiped out of existence at one fell stroke. This is not an imaginary statement, but it can be supported by numerous facts.

In England, several years ago, a clever young chemist devised a new method of producing aluminum, using sodium as an intermediary agent, the cost of aluminum being less than half that of reduction by methods then in vogue. A magnificent plant was erected, requiring an investment of several hundred thousand dollars. Before the manufacturing operations were fairly under way an American electrolytic process was brought out, doing away with the intermediary element and reducing the cost to a mere fraction of that by the sodium method. The English process was at once abandoned.

A few years ago a new method of treating steel for cutting tools was devised, which enabled the tools to cut steel and iron four or five times as rapidly as could be done with any steel tools made



up to that time. Shop rights were sold at large figures, and furnaces and other necessary appliances installed in several establishments for treating cutting tools according to this process. In a very short time new alloys were discovered, of which cutting tools are now made, having the same capacity without this costly treatment, and so the value of the process has been largely effaced.

The element of time was far less considered formerly than now, because it was of far less value. When wages were low and handwork in vogue, the ratio between the value of materials and of time was the reverse of what it is now, when in many manufactures the time cost exceeds all other costs. It is said that when a carpenter drops a wire nail, it is false economy to take the time to pick it up instead of using another.

The standardization of parts now so general, is at once a cause and a result of specialization in manufacture. While some large manufacturers make most of their parts in their own factory, few make all, and a large proportion buy many and some buy practically all. Many makers of parts confine their manufacture to a single one. The more recent the development of a mechanical invention, the more this practice seems to be adopted. Thus in the manufacture of automobiles the technical papers are filled with advertisements of parts; one company makes only gasoline engines, another frames, another mufflers, another radiators, another bodies, and so on. As was the case in the bicycle era, so now many of the cheaper class of automobiles are composed of "parts," purchased where they can be bought wholesale at a low rate, and "assembled" by the so-called manufacturer.

Certain fundamental principles characterize American methods of manufacture; such as the employment of special machines to perform specific operations only, whereby the output of a factory is enormously increased, minute and systematized division of labor effected, the costly work of finishing and adjusting minimized, and the highest development of skill, accuracy and dispatch acquired. The high wages paid to skilled labor in this country have acted as a stimulus to the invention and perfecting of labor-saving machinery, and the employment of such labor-saving machinery operated by high-priced, intelligent mechanics has resulted sometimes in a very much larger output and lower cost of product per man employed than anywhere in the world under old conditions. These features have perhaps

received most notable development in the fine art of watchmaking by machinery in America, wherein the acme of perfection and economy is shown.

The system of concentration of labor in large factories for making watches in this country is the antithesis of the method of scattered manufacturing which prevailed for centuries in Europe, notably in Switzerland. M. Favre-Peret, who investigated this industry in the New England States some years ago, stated that the average production of 40,000 workmen in Switzerland was 40 watches each per annum, while in America the average was 150 fine watches for each man employed.

By the aid of special machines in these watch factories, one man can make 1,200 fine screws per day, some of which are so small that more than 100,000 are required to weigh a pound. One of the finest pieces made is a "pallet-arbor" or pivotal bolt, which, for a small-sized watch, has a thread of 260 to the inch, weighs  $\frac{1}{130000}$  of a pound, undergoes 25 operations and costs but  $2\frac{1}{4}$  cents. Measurements are gauged to  $\frac{1}{25000}$  of an inch.

The balance wheel, after being machined, weighs only 7 grains, and when fitted with 16 gold screws weighs 7.2 grains; there are 80 separate operations upon a balance wheel, 66 of them being drilling, threading and countersinking holes; the drills revolve at a speed of 4,800 turns a minute, and one operator can drill upwards of 2,200 holes for the balance wheels per day. A full and complete report upon this highly specialized manufacture of watches in this country may be found in Volume II of the "Tenth Census of the United States."

A few years ago M. Levasseur, a member of the French Institute, an authority on industrial economics, made a careful study of industrial conditions in the United States, and referred in his report thereon to the prodigious proportions which the tendency of modern industry towards specialization has assumed in this country. He described in detail the development of the shoe industry in Massachusetts to illustrate this evolution. Until 1850 shoes were for the most part made in the Bay State by farmers working at home at seasons when farm work was slack. Little by little manufactories were established, until now everything is done by machines which are marvelous in their variety and rapidity of production. Here specialization has been developed to the highest degree. One factory employing 233 hands produced 2,100 pairs of shoes a day.

A delegation of French workmen, after visiting our industrial establishments, said, in their report, that "The manufacturers are unceasingly replacing old machinery by improved types. Although the McCormick Reaper Works are the oldest of the kind in the United States, we did not find there a single machine out of date. As soon as a machine can be replaced by one giving better results, a manufacturer does not hesitate to send it to the junk shop." The delegates concluded their report with these words: "The rapidity of the machines is astonishing, and the development of specialization seems sometimes to border on the marvelous."

In all lines of manufacture in the United States the same tendency towards specialization is apparent, and it is a question for serious consideration whether this process may not be carried too far, resulting in the future in a variety of unlooked-for evils. Not the least of these perhaps is the decline of the "all-round skilled mechanic." Young men who enter our shops to-day find employment in tending special machines and soon become highly trained in their operation, so that they earn large wages, consequent, of course, upon their ability to turn out, by the aid of these machines, the maximum amount of work with minimum of defects. They are encouraged by their employers to continue at one job and feel little ambition to change to another class of work, or to another kind of machine, where their experience avails but little. Thus we have skilled planer hands, who know nothing about the operation of lathes, milling machines or other mechanical appliances in the same shops.

The Baldwin Locomotive Works, the largest of the kind in the world, and the most highly developed in specialization of manufacture, have already experienced the difficulty of finding young men competent to take the place of older hands, and have shown wise forethought in establishing a new school of apprentices, with a general superintendent in charge and a staff of supervisors or foremen of apprentices. There are at present three classes of apprentices, numbering in all between four and five hundred in these works. The apprentices are not kept for an indefinite time in any one department, but are moved from one to another as they advance in experience, so that when they have served their full terms they graduate not as skilled "planer hands" or "lathe operators" merely, but as skilled mechanics. Furthermore, this system develops a feel-



ing of proper ambition in the young man and of attachment to his alma mater. This is, in effect, an industrial college for the poor boy, worthy of emulation by other manufacturing establishments; the mutual benefit to employer and employee will be felt in the years to come, and will continue to increase in value to all concerned.

The tendency toward specialization is not confined to manufactures. In the foregoing the attempt has been made to tell of and to illustrate its influence and effects in this line. The tendency seems to extend to engineering, medicine and the other professions, indeed, to pervade every field of human endeavor. It is an evolution amounting to revolution of methods of doing the world's work.



## REAL ESTATE AS SECURITY FOR LOANS

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BY CHARLES K. ZUG.

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Fifty years ago real estate was the principal security for a loan of money. At the present time, however, personal property has assumed such proportions that the value of real estate as security for loans is questioned by many large investors. Many corporations pay larger dividends on their stock and as large or a larger interest on their bonds than can be obtained from a loan on real estate security. Such a loan, however, has still the great advantage that the lender is able to see his security at the time he makes his loan, and go to see it as frequently thereafter as he may desire.

This distinct advantage that a real estate loan has over other security is, however, somewhat offset in the matter of convenience. The holder of a mortgage frequently has difficulty in securing the interest, and while his remedy by proceeding to foreclose is clear, investors as a rule prefer to receive the interest on their investment and not enforce any penalty for non-payment. Mortgage interest is rarely paid without a bill having been first presented, and frequently this bill must be presented a second or even a third time before payment is made. It is, therefore, less convenient than a bond, which may be registered and the interest sent by check to the registered holder, or stock on which the dividends are now usually also paid by check.

There are, however, several reasons why an investor might prefer a mortgage. First, because his investment is separate and apart from that of others; and, secondly, because it is absolutely within his own control. Unless he is a director of the corporation of which he holds either stock or bonds, it is impossible that he should have full information as to the condition of the company, its prospects and its management. It may be doing a most profitable business to-day and may be losing money next year. A change

in policy may result either in a large increase in net earnings or a large decrease thereof. Therefore many an investor prefers to make his own investment and have as security therefor a separate piece of property, of which at the worst he feels assured that he will become the actual owner; whereas the holder of a bond of a corporation is, in case of default, subject to the wishes of other bondholders and is compelled to act through a trustee. He may find the entire property swept away by a proceeding on a prior encumbrance, and this is all the more true of the holder of stock, who is entitled only to what is left after all the indebtedness is paid.

#### *Method of Making Loans on Real Estate.*

The usual method of borrowing money on real estate security is by bond and mortgage, in which case the borrower gives his bond in a sum usually double the amount of the money that he has borrowed, which bond is conditioned upon the repayment by him of the amount borrowed, with interest, at the time stated and also contains certain other conditions which vary with the instrument, these conditions usually being that he will pay the taxes upon the property and produce the receipts therefor each year; that he will keep the property insured against fire for the benefit of the mortgagee, and that if default is made in any of the conditions contained in the bond the principal debt shall, at the option of the lender, become due and immediately payable. Another provision, usually included, provides for an attorney's commission for collection in case proceedings are had thereon. Attached to the bond is a warrant of attorney authorizing the entry of judgment against the borrower. This bond is then secured by a conveyance of the borrower's real estate to the lender, with a condition known in law as a defeasance, whereby it is provided that in case the borrower shall comply with the conditions of the bond, then the indenture or mortgage and the estate thereby granted shall cease, determine and become void. The bond may be given by the owner of the property or by any other person. It should not be forgotten, however, that the bond is the debt and the mortgage is simply the security for its repayment. Therefore it is material to the lender to know who the bondsman is. If he is a responsible person, the mortgage is rendered that much more desirable, as in addition to the security afforded by the mortgage, there

is the express obligation of the borrower to pay the money, together with a warrant of attorney which makes it possible at any time, even though default has not been made, to enter up the bond and thereby secure a lien upon all the other real estate of the obligor. It is not customary to enter the bond accompanying a mortgage in the absence of default, but the right to enter it at any time is unquestioned. Execution, however, cannot issue upon the bond until default is made, which may be either in the payment of the interest, when due, the payment of the principal, when due, or the failure to produce the tax receipts, or to comply with any other of the conditions therein expressed. If the default is in the non-payment of the interest as it becomes due, the bond and mortgage, as a rule, expressly provide that default shall continue for the space of thirty days after the interest becomes due before the mortgagee can exercise his option in declaring the principal sum due and proceed to collect.

Among other methods of lending money on real estate security the following may be mentioned:

1. It sometimes occurs that a borrower owns a mortgage on which he desires to borrow a certain sum of money, but does not wish to sell the mortgage, either because his necessities are less than the amount of the mortgage, or because he wishes to repay his own loan at an early date and thus have returned to him his investment. In lending money by this method, the bond and mortgage should be absolutely assigned to the lender and not conditionally assigned, as a conditional assignment might render subsequent sale of the bond and mortgage difficult. It is the duty of the lender in this case, if the loan is not repaid or the interest not paid as it becomes due, or any other default made, to first sell at public sale the bond and mortgage which had been assigned to him as collateral, just as he would sell any other collateral which he held as security. It is, therefore, advisable to take a collateral note from the borrower with the usual provisions that the lender can purchase at this sale, so that he may thus become the owner of the bond and mortgage and proceed to collect his debt in that way.

2. Money is sometimes loaned on a conveyance by the borrower of his real estate to the lender, with a collateral agreement setting forth the fact of the loan and the conditions of repayment, etc. The collateral agreement accompanying the deed would vary with the particular conditions of the loan, and might be misinterpreted



by the parties thereto after its execution. For that reason, at least, this method of lending money appears to me to be undesirable.

3. It is quite common in certain sections of Pennsylvania to lend money on security of a judgment note, which is entered as against the property of the borrower, either restricted in lien or applying generally to all his real estate. This method of lending money is rarely adopted in Philadelphia, or I presume in any large city. It has the distinct objection of requiring the renewal whenever the lien expires. The failure to secure such renewal in time means a loss of the lien on the defendant's property. It is probably adopted in country districts to save expense, but it certainly is not a form of investment that would recommend itself to a careful investor.

4. The ground rent is not a loan of money on real estate security, but is, as you are no doubt aware, an interest in the property. The owner of a ground rent is entitled to receive a certain fixed rent, payable usually in semi-annual payments, and the person who owns the real estate out of which the rent issues, is entitled to possession and all the other incidents of ownership so long as he pays the rent. In character it so closely resembles a loan of money that perhaps a few words on this subject are not amiss. The rent is usually on a basis of 6 per cent. on the amount of the principal, upon the payment of which principal sum the rent can be extinguished. That is, if the rent can be extinguished on the payment of \$1,000, the annual rent is usually \$60, which is larger than the ordinary rate at which mortgage loans are made in Philadelphia, where the interest is usually from 4 to 5 per cent. It has the further advantage that it is not subject to the four mill tax levied by the State of Pennsylvania on personal property. From the standpoint of the investor ground rents have disadvantages in that the owner of the rent can not demand that it be extinguished, while the owner of the property may extinguish it at any time that he sees fit unless the rent is by its terms irredeemable and created prior to the acts of April 22, 1850, and June 24, 1885, prohibiting irredeemable ground rents. As a result the owner of the rent is often forced to see the property depreciate, and yet in the absence of waste has no remedy so long as the rent is paid.

In like manner, taxes levied against the property may remain unpaid. These taxes take priority of all other indebtedness, and therefore by so much is the value of the security diminished to the



holder of the rent. On the other hand, the owner of the rent has the advantage of a speedy means of collection by warrant of distress, as any other rent could be collected, and he can also bring suit for the rent due and sell the property. The suit, however, is for the rent due and not for the amount of the principal sum, and the purchaser at the sheriff's sale buys the property subject to the ground rent. The absence of the right on the part of the owner of the ground rent to demand payment of the principal of his rent is the decided objection to this character of investment. His remedy is to sell his rent just as he would sell the real estate if he owned it, usually receiving less than the principal of his investment, if it is a redeemable ground rent. The bidder at the sale almost invariably deducts the cost of the conveyancing, since he does not know how long he can keep his investment.

Assuming that you have determined upon the form of your investment, as to whether it should be on a mortgage, judgment, etc., there are certain other considerations relative to the security for the loan requiring attention.

In lending money a greater equity or difference between the value of the property and the amount of the loan should be required in unimproved than in improved real estate. If compelled to buy in unimproved real estate at a foreclosure sale, its unproductiveness might increase the difficulty of finding a ready market for it. If the lender has no money to improve it, and particularly if he does not have the means to pay the taxes, municipal claims and other charges that may arise in connection with its ownership, he may be compelled to sell it for much less than what would be considered its real value. The value of unimproved real estate is always less certain than the value of improved real estate. The value of all real estate fluctuates and depends upon the demand. In times of expansion, when people are engaging in new or larger business enterprises, builders are also building houses and new factories and other plants are being established, which create a demand for unimproved real estate and such property, desirably located, might be more readily sold than one that has an improvement upon it, which might not suit the requirements of the intending purchaser. But in times of depression, and those are the times when the lender is most usually required to purchase the mortgaged property at a foreclosure sale, fewer buildings are started and consequently there is a smaller demand.

The amount of this equity to be required in any real estate

would vary, of course, with the real estate in question. If in an improving neighborhood, more may safely be lent than if the neighborhood is stationary and largely more than if it is declining. In fact a loan on a property in a declining neighborhood is always of an uncertain character. A loan of from 60 to 70 per cent. of the present selling value of an improved piece of real estate is usually considered a conservative loan, while the loan of 50 per cent. of the present selling value of an unimproved piece of property is perhaps as large as should be made.

In making a loan secured by real estate, the lender should visit the property upon which he is lending the money, in addition to obtaining the opinion of any expert that he may employ to guide him in making the investment. The character of the improvement of the property, whether it is a dwelling house or a business property, whether it stands alone or is one of a row of buildings, whether it is in good condition and also whether the remaining properties in the same neighborhood are kept in good condition; if it is a dwelling house, whether it is in a neighborhood suited to dwelling houses, whether it is in a neighborhood of residences of a substantial character, or in a neighborhood occupied by employees of factories are all matters to be given careful consideration.

One tenant may lease and use together a number of different properties, and the owners thereof may desire to borrow money on the property separately owned by them. Such a mortgage should require a special equity, as there is, in addition to the ordinary risk, a risk of the tenant's business. If he should fail, it might be difficult to find some one who would continue his business, and a severance of the respective properties might render each one much less valuable than all were when considered together and occupied by one person, while the cost of replacing any party walls which had been removed would add considerably to the cost of each separate property.

A large mortgage, \$100,000 or \$500,000, has certain desirable qualities. As a rule, the interest is paid promptly on the day it is due, whereas the borrower of a small sum of money is very apt to be negligent in his payments. It has the advantage also of requiring you to look to but one person for the interest on a considerable sum of money; whereas if you take small mortgages, you may have to collect the interest on \$100,000 from one hundred different people,

which is troublesome and requires considerable book-keeping. It is not to be forgotten, however, that the large mortgage has the objection of having a limited market, and therefore unless you yourself are able to buy in the property at a sale and also able to retain the loan for an indefinite period, the investment might prove very disastrous. What is and what is not a large mortgage depends, of course, upon the community. In a small town a mortgage of \$10,000 might be considered large; whereas in a large city, a mortgage for \$1,000,000 might not be considered objectionable from this point of view. The point to be remembered is that there are many more people able to invest a small sum of money than there are to invest a large sum, and in times of money stringency the owner of a heavy mortgage might not realize at a sale anything like the proportionate amount that could readily be obtained for one of smaller size.

A property occupied by the owner is usually a more desirable security for a mortgage than one occupied by a tenant. In the majority of instances the property is kept in better condition by the owner whose pride has been known to lead to many sacrifices before permitting his home to be sold under a foreclosure of mortgage.

Small properties will depreciate more rapidly relatively to their value than larger ones. A mortgage of \$1,000 on a property renting for \$15 or \$16 per month might be very well secured when the mortgage was taken, but a few years' neglect of such a property will depreciate its value several hundred dollars, which is a large relative decrease.

As the laws of the different states vary, it is wiser to confine one's loans to one's own state, or to the states with whose laws on this subject the lender is familiar. About fifteen years ago, a number of acts were passed by the legislatures of some of the western states imposing heavy penalties for failure to pay taxes, extending the time during which the owner of a property could remain in possession after a mortgage thereon had been foreclosed, and otherwise attempting to preserve the interest of the resident of the state as against the claim of the non-resident creditor. There have been cases of loans which were supposed to be well secured, where the owner has lost the entire amount of his investment by reason of these provisions, and where he knew nothing of the laws in question until he came to bring his foreclosure proceedings.



The duration of a loan should vary with each particular case. In an improving neighborhood, money for a period of five years, or even longer, may be safe; whereas if the neighborhood is not improving, a longer period than one or three years is not advisable.

In Philadelphia it is not the practice of borrowers to pay their mortgages when the principal becomes due. On the contrary, they are very apt to allow the mortgage to remain until they find it convenient to pay it off, or until they are requested so to do. The lender should, therefore, make a note of the expiration of the loan for the purpose of revisiting the property at the time and determining the question of the advisability of requesting payment of the principal or of continuing the loan. If he concludes to continue the loan, it would be wise to make some memorandum as to the period when he thinks he should again examine the property, and again determine the question of continuing the loan or requesting payment.

The security should be a first lien on the borrower's property. A prior encumbrance is always to be avoided. The fact that it is small relatively to the value of the property is immaterial, because the owner might default in payments due under the prior lien, and a foreclosure might follow and the property be sold by the sheriff without knowledge of the junior creditor and the lien of his encumbrance be discharged. That, however, could not be the case if he had the first mortgage. It would be the case, however, if he had simply a judgment. In that case, if he owns the first lien, he is entitled to priority of payment, but his lien is discharged by the sheriff's sale. In Philadelphia it is now almost the universal practice to secure a policy of title insurance from a title insurance company. In other sections of the state, perhaps this means of making sure that the lender has a first lien may not be feasible. He will then be compelled to rely on the examination by counsel and their opinion. He would be very unwise if he would not thus secure his investment, because it is always the privilege of the person borrowing the money to pay the expenses, which includes the examination as to the title.

The lender should receive a fire insurance policy for a proper amount, and to make sure that it would be wise for him in valuing the property to value the ground and the improvement separately. Insurance companies insist that the owner should carry insurance to 80 per cent. of the value, and the lender is a co-insurer with them to the extent of the deficiency between the amount of his insurance



and that 80 per cent. Therefore it is desirable that he should have a policy of approximately 80 per cent. of the value of the improvement. If possible, he should secure perpetual insurance to avoid the necessity of noting the expiration of the policy and seeing to its renewal. If he has to accept time policies, he should adopt some method of directing his attention to the fact that the policies expire and see that they are duly renewed.

All mortgages in Pennsylvania contain a provision requiring the owner to produce receipts for the taxes levied against his property. The lender should see that this is strictly enforced. Even in Philadelphia, notwithstanding the laws to enable the city authorities to enforce the payment of taxes, I have known mortgages to be foreclosed and to find that the owner had allowed as much as ten years' taxes to remain unpaid. True, he is personally liable for the tax, but if he is insolvent, this liability on his part is not a very great comfort to the lender of money when he finds the sheriff deducts the amount of these taxes before making any distribution of the proceeds of the sheriff's sale. If the property is in an unimproved neighborhood, the lender also runs the risk of municipal claims for sewer, water pipe and other improvements, which no doubt are intended to, and in all probability eventually do, improve the value of his property, but may occasion him a present outlay which might be inconvenient.

The conclusions of the foregoing discussion may be summarized as follows:

(1) While a loan of money secured upon real estate may be less convenient than a corporation bond or stock, it usually pays a little larger rate of interest than the best bonds, is a lien on a specific piece of property and entirely under the lender's control, and its value does not fluctuate with the business or policy of a corporation.

(2) In lending money on real estate security, lend on a bond and mortgage. It is the most usual method, the rights of the parties are clearly established and you secure a lien which continues indefinitely.

(3) Unless you are competent to form an opinion on the value of the property, secure the opinion of an experienced real estate man. In any case, visit the property yourself at the time of making the loan and write out your impressions concerning it. Note the

character of the improvement whether generally useful or only for special purposes, and note the character of the neighborhood. Visit it again when the loan matures and determine whether to continue it or not.

(4) See that you have sufficient equity. Do not lend more than 60 or 70 per cent. of the value of improved property. If the property is unimproved, do not lend more than about 50 per cent. If the property is not in an improving neighborhood, require even a larger equity or decline the loan.

(5) Do not make loans in large amounts. The market for a large loan is relatively smaller than for a small one. In times of financial difficulty, it might be difficult to sell your mortgage or realize upon it a sufficient sum for your needs.

(6) Do not lend money on mortgage in states where you are unfamiliar with the laws and customs.

(7) Lend only on first mortgage. See that you receive a title insurance policy; also a fire insurance policy for 80 per cent. of the value of the improvements on the property. If possible, have perpetual fire insurance. If compelled to take term insurance, be careful to note the expiration and see that the policies are duly renewed.

(8) Enforce the provision in your mortgage requiring the owner to produce the receipts for taxes levied against the property.

## UNDERWRITING

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BY GEORGE STEVENSON,  
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Two centuries ago practically every business enterprise was carried on by a single individual or at most by a partnership. It was the time of individual effort, because every undertaking was planned upon such a modest scale that the need of some means by which the resources of a number of persons could be combined had not been seriously felt. The few corporations that existed served only to emphasize this fact. The resources of even the largest and most important of them would form a small fraction of the funds at the command of the average present day capitalist. No better illustration of this can be found than that furnished by the British East India Company. The capitalization of this corporation which ruled an empire, and to a great extent shaped the policy of England, was £400,000—less than one-fiftieth as large as that of the United States Steel Corporation.

So long as every investor was in a position to know the character and business integrity of his co-partners, the only risk involved was the usual business risk which still is to be faced in every industry. Even if a company was to be formed, nothing was done until the necessary subscriptions had been secured and a large percentage of them paid in.

There was one form of business activity, however, which greatly felt the need of some form of insurance against loss. The shipping industry was at that time one of the most risky enterprises into which one could embark. The dangers of disaster combined with the risk of capture by the cruisers of one or the other of the powers with which England was almost constantly at war, made it attractive only to the boldest. The profits were enormous, an owner often being able to clear the cost of his vessel in a few voyages. On the other hand, the losses when they occurred, were severe. The



profits of years might be wiped out in a day, and even the staunchest and most opulent merchants were often crippled by the loss of parts of their fleets.

Two centuries ago the man who had a cargo to send to the Mediterranean contrived to get rid of some of the risk by inducing a friend to take an interest with him. It was necessary to write out a statement of contract to which the guarantors subscribed; this was the first underwriting. These two men happened to be frequenters of Lloyd's coffee house in London, which was a favorite place for the merchants of the town to gather to discuss business, or to gossip. Others immediately saw the advantage of the scheme which their colleagues had devised, and on the next voyage the risk was parcelled out among a larger number of the patrons of the coffee house. Out of this small beginning has grown the great European maritime agency, still bearing the name of the humble coffee house proprietor, and which not only writes risks on vessels, but rates them and publishes their arrivals from every port the world over, no matter how small or how remotely situated.

As the size of business undertakings increased, the necessity for the co-operative form of organization began to be keenly felt. But the difficulty was that the risk involved in counting upon the payment of subscriptions when they fell due by stockholders, most of whom would naturally be little known to the promoters, was too great for the ordinary individual. He was anxious and willing to pay some one to assume this risk for him. Unless this could be done, it became practically impossible to undertake any great work without first having all the capital subscribed and a large percentage of it paid in—a practice which besides being very expensive, was almost impossible to carry through. As time went on and the size of corporations increased, promoters of enterprises found it was exceedingly difficult for them to market the securities no matter how good they might be. Outside of a small community they were practically unknown, and it required an enormous amount of work, and in fact it soon proved to be impossible to reach investors in distant localities, or to convince them of the advantages of a project which often it was impossible for them to visit. In their extremity the promoters turned to the banker, who, through his correspondents, could reach every important money centre in the world. The machinery to advertise and market the new securities was already in



existence and it was only necessary to convert it to the new use. Investors in distant localities would buy securities about whose value they knew little or nothing, because their bankers in whom they had confidence recommended them. In this manner, one hundred investors could be secured, where one would be obtained if the investor was forced to rely entirely upon his own judgment as to the profitability of the enterprise, the security of his lien, and the integrity and honesty of the officers.

The principle which underlies underwriting of industrial and railroad securities is the same that governs the marine insurance business of Lloyds. The syndicate or the marine agency guarantees to the railroad company or the ship owner that they will assume the risk in return for their commission. The owners are left free to turn their entire attention to the carrying out of their plans, being absolutely certain that the financing of the scheme will require no attention on their part. Having thus briefly sketched the origin of the underwriting and ascertained the principles involved, we are now ready to take up the methods upon which the business is conducted to-day.

Roughly speaking, there are two classes of underwriters: first, there are those who simply insure the successful issue or sale of a security by some other person, and second, there are those who agree themselves to take the security. Let me cite you a practical illustration of the first kind of underwriting. In 1902 the Pennsylvania Railroad Company needed a considerable sum of money and proposed to issue \$75,000,000 of stock at the rate of 120 per cent., which would require the payment of some \$90,000,000. It would not do for them to fail. They had spent the money and must recoup their treasury. Besides the Pennsylvania Railroad plays such an important part in the affairs of the country, that failure would almost have been regarded as a national failure. The financial officers of the Pennsylvania Railroad Company know that the money market is very sensitive. One day everything may be tranquil, with confidence abounding, and money freely offered at a low rate; over night a great disaster, either real or impending, may throw the financial world into a tumult of excitement. It may be a great conflagration, such as that of Chicago or Baltimore, or some great financial institution which had hitherto been considered very strong

may be discovered to be in trouble, or possibly a great European war may be threatened by some such event as that recently occurring in the North Sea. The result would be that the success of any great financial transaction would be seriously jeopardized.

In consequence of this, bankers were asked what they would charge to insure the success of the issue. Such a large sum is more than one house is willing to risk, consequently, the bankers formed a syndicate or combination of capital. This differs from a corporation in the fact that while a corporation exists forever; a syndicate, on the other hand, ends when the transaction is over. The charges agreed upon were satisfactory to the Pennsylvania Railroad. The gentleman who made the contract with it, went back to his office in New York and took out of his records a list. That was his syndicate list—a list which he has formed by years of experience, and is virtually a “roll of honor.” It comprises the names of gentlemen whom his experience tells him are financially able to float the security, and whose word is as good as their bond. The banker makes a succinct account of what his terms are and what he is committing himself to do, and he sends this by cable to bankers in London, Berlin, Amsterdam, Paris, and other money centres of Europe, with the request that they send him word in the morning how much they want to take. He sends word to Philadelphia, Boston, Baltimore and other nearby cities, with a similar request. When it is ten o'clock on this side of the ocean it is three o'clock on the other side. He would be able to get returns on all his messages upon his arrival at his office the next morning. He takes a list then of the subscriptions he has received and adds it up. In this case he discovered that instead of having subscriptions to \$90,000,000 he had \$200,000,000; so he makes an allotment according to his own ideas.

All members of the syndicate, when allotments are made, will be sent an extended statement covering all the points of the case, which they sign. These syndicate agreements are founded on honor. Mutual confidence among their members is indispensable. The document is sent back to the syndicate manager, who has plenipotentiary power to do almost as he sees fit within certain lines. It must not be supposed, however, that the service of the underwriters is small or incommensurate with the amount of payment received. An insurance company which insures a merchant's goods for \$100,000 re-

lieves him of all anxiety. He may sleep soundly, though his place of business is burned. Similarly with the Pennsylvania Railroad stock issue. For a small commission the bankers agreed to pay out \$90,000,000 within a short period, no matter what events arose meantime to interfere with the state of the money market. That is a service worth speaking of. Of course, individual banking houses were careful not to subscribe for more than they could take care of in case of trouble.

Those who promote the syndicate, of course, keep part of the commission for themselves. They earn it in originating and managing the syndicate.

The second kind of underwriting syndicate may be formed when a corporation wants to sell \$30,000,000 or \$60,000,000 worth of bonds. The president of the corporation will go to a banker and ask him to underwrite the loan. The banker must be satisfied of the credit of the company and of the correctness of the statements that are made to him. He must be satisfied that it is such a loan as the market will take. He makes his terms and says when he shall pay for the bonds. He signs a contract to pay for that \$30,000,000 loan at a certain time. He goes through the same operation as before and forms a syndicate. If the loan is not sold before the time agreed on, the underwriters must pay the money. That is the risk which they take. If the issue is successful the members will get checks from the promoter of the syndicate as their proportions of the profit and the syndicate is now closed out; but no statements are rendered, neither are they expected.

We now come to the marketing of bonds. Bonds are generally marketed by the syndicate managers who are the members of the syndicate. There are generally one or two firms who are responsible for the marketing of the bonds and the underwriters do not have to take the bonds unless these persons are unsuccessful. In the case of the Japanese loan recently advertised in the papers, you saw a circular signed by Kuhn, Loeb & Co., the National City Bank and the National Bank of Commerce of New York. These institutions were, in this case, responsible for the marketing of the bonds.

Not all syndicates are successful, and it may happen sometimes, instead of taking profits, losses must be paid. Syndicates may not be closed up for several years. If they have been unable to sell the bonds at the time of their creation, or at the time of the formation

of the syndicate, the bonds sometimes become "stale" and difficult of sale.

The value of the service which the underwriting syndicate performs can scarcely be over-estimated. Without it the floating of large issues of securities would be almost impossible. The knowledge that a group of bankers stands ready to support and take the new issue themselves if they cannot dispose of it on favorable terms, gives confidence to every investor.



## THE MINERS' UNION: ITS BUSINESS MANAGEMENT

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BY FRANK JULIAN WARNE, PH. D.

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The United Mine Workers of America has a total membership in the United States exceeding 300,000. Its officials claim for it the distinction of being the strongest and largest single trade union in the world. It is well organized in at least ten of the twenty-seven coal-producing states, and is gradually extending its power into all of the twenty-seven. About 75 per cent. of all the coal mine employees in the country are at present members of the union; more than 85 per cent. of the total of 486,000 are governed by the union's scales and work under its conditions of employment, and, the officials of the union claim, fully 90 per cent. of all coal mine workers in the United States would go out on a strike if a national suspension of coal mining is ever found to be necessary by the union.

The general scheme of organization of the United Mine Workers bears a close resemblance, in many of its features, to that of our political organization. It is composed of national, district, sub-district and local unions. The jurisdiction of the national union is intended to cover the entire coal-producing area of the country. At present it is effective in Ohio, Indiana, Illinois, Kansas, Iowa, Missouri, Kentucky, Tennessee, Alabama, the hard coal fields of Pennsylvania and in portions of the central and western bituminous coal fields of that state. It also extends into Maryland, Virginia, West Virginia, Michigan, Arkansas, Indian Territory, Colorado, New Mexico, Montana and Texas.

Subject to the constitution of the national union and the legislation of the national convention the district union, as a general thing, has jurisdiction over a particular state. This is due to the convenience of state line divisions. There are exceptions, however. In Pennsylvania, for example, owing to the unusual prominence of the coal-producing area of that state, there are six districts—Numbers 1, 7 and 9, in the anthracite region; District 2, in the Clearfield

or central soft coal field; District 5, in the Pittsburgh or western bituminous coal field, and District 16, which also includes Maryland. In Indiana, District 8 covers the block coal field, and District 11 the bituminous coal territory of that state. In a few cases one district extends over more than one state—District 17 includes Virginia as well as West Virginia; District 21 takes in Arkansas and Indian Territory. Under the constitution and legislation of the district union are the sub-district unions. These sub-district unions have been made a feature of the organization in order that special regulation may be secured, in particular cases, for widely varying conditions, which prevail in almost every state, without placing the whole district in jeopardy when only small areas are affected. Within the jurisdiction of the sub-district are the local unions—the units making up the district and national unions. The local union is the smallest of the four unions. It usually has jurisdiction over the mine workers at a particular colliery or mine. It must have at least ten members. Over all the unions the constitution and legislation of the national union, and the agreement of the Interstate Joint Conference, which latter is entered into between representatives of operators and mine workers, takes precedence and are supreme. The district exercises authority and governing surveillance over the sub-districts, and the sub-district over the locals. Each union, however, has its own constitution and by-laws, its own officers and conventions and it legislates for its own particular area within the authority granted to it.

The United Mine Workers of America is one of the most democratic, with the possibility of it all at once becoming one of the most autocratic of any organization in the world. It is democratic in the sense that in the final analysis its policy and management is in the hands of its members. All power vests with them in their collective capacity. To them, in their local unions, every great question affecting the national union is referred sooner or later; from the local unions come the final decisions on all such questions. They nominate and elect, by direct vote of the members, the president, vice-president and secretary-treasurer; they indirectly, through their particular districts, elect the members of the National Executive Board; they choose the delegates that make up the national convention; they send instructions to this convention; upon most of the recommendations made to this convention by the president they instruct their delegates before the convention assembles how they

are to vote; they not only choose the national and their own local officers, but, through regularly elected delegates, they compose the sub-districts and districts, and through these determine the policy that is to be adopted in any particular instance.

Once a year representatives of the local unions meet in regular convention as the national union, usually at Indianapolis, beginning the third Monday in January, and for ten days or two weeks outline the policy of the national union for the ensuing year. This convention possesses absolute power; there is nothing affecting the organization it cannot do even to altering or amending its fundamental law—the constitution. It can even abrogate, if it so chooses, the agreement of the Interstate Joint Conference. The representatives to this convention are elected directly by the local unions on the basis of one vote in the convention for each one hundred members (or less), and an additional vote for each one hundred members or majority fraction thereof. No representative, however, can cast more than five votes on any question. The representative must be “a miner or mine worker or employed by the organization” and a member in good standing of a local union in the district where he resides.<sup>1</sup> The constitution of the national union interprets the term “miner or mine worker” as meaning “any one working in or around the mines *and a member of a local union.*” No member of the United Mine Workers occupying a position other than that of a miner or mine worker, excepting those holding positions with the organization, is eligible as representative to any sub-district, district or national convention. Special conventions, the delegates to which must possess the above qualifications, are provided for by the constitution.

The purpose of the national convention is to legislate on any question pertaining to the objects of the organization. These objects are expressed in the preamble to the constitution. “There is no fact more generally known, or more widely believed,” says this preamble, “than that without coal there would not have been any such grand achievements, privileges and blessings as those which characterize the twentieth century civilization, and believing as we do, that those whose lot it is to daily toil in the recesses of the earth, mining and putting out this coal which makes these blessings possible, are entitled to a fair and equitable share of the same: therefore, we have formed ‘The United Mine Workers of America,’ for the

<sup>1</sup> Section 2, Article V, of the Constitution.



purpose of the more readily securing the objects sought by educating all mine workers in America to realize the necessity of unity of action and purpose, in demanding and securing by lawful means the just fruits of our toil." The objects of the organization are declared to be:

First. To secure an earning fully compatible with the dangers of our calling and the labor performed.

Second. To establish as speedily as possible, and forever, our right to receive pay for labor performed, in lawful money, and to rid ourselves of the iniquitous system of spending our money wherever our employers see fit to designate.

Third. To secure the introduction of any and all well-defined and established appliances for the preservation of life, health and limbs of all mine employees.

Fourth. To reduce to the lowest possible minimum the awful catastrophes which have been sweeping our fellow-craftsmen to untimely graves by the thousands; by securing legislation looking to the most perfect system of ventilation, drainage, etc.

Fifth. To enforce existing laws; and where none exist, enact and enforce them; calling for a plentiful supply of suitable timber for supporting the roof, pillars, etc., and to have all working places rendered as free from water and impure air and poisonous gases as possible.

Sixth. To uncompromisingly demand that eight hours shall constitute a day's work, and that not more than eight hours shall be worked in any one day by any mine worker. The very nature of our employment, shut out from the sunlight and pure air, working by the aid of artificial light (in no instance to exceed one candle power), would, in itself, strongly indicate that, of all men, a coal miner has the most righteous claim to an eight-hour day.

Seventh. To provide for the education of our children by lawfully prohibiting their employment until they have attained a reasonably satisfactory education, and in every case until they have attained fourteen years of age.

Eighth. To abrogate all laws which enable coal operators to cheat the miners, and to substitute laws which enable the miner, under the protection and majesty of the state, to have his coal properly weighed or measured, as the case may be.

Ninth. To secure, by legislation, weekly payments in lawful money.

Tenth. To render it impossible, by legislative enactment in every state, for coal operators or corporations to employ Pinkerton detectives or guards, or other forces (except the ordinary forces of the state) to take armed possession of the mines in cases of strikes or lockouts.

Eleventh. To use all honorable means to maintain peace between ourselves and employers; adjusting all differences, so far as possible, by arbitration and conciliation, that strikes may become unnecessary.

The means for obtaining these ends are declared to be conciliation, arbitration or strikes. All three methods have been employed in the course of the union's existence.

In order to carry out the policy of the national convention, to enforce the constitution and for the conduct of the business of the national union, there is a president, vice-president, secretary-treasurer and an Executive Board, whose terms of office are from April 1 to March 31 of each year. These officials, with the exception of the Executive Board, are nominated by the local unions (a candidate must be nominated by at least three locals) and they are elected, during the first week in December of each year, by a majority of the popular vote of the members voting who are in good standing at that time in the national, district or local unions. Any member in good standing in the organization is eligible to hold office in the national union, provided he is not a salaried officer of a district at the same time and has been a member of a local union for one year preceding his election. The nominations are made by the locals on specially prepared blanks two months before the annual national convention. Every candidate thus nominated must be notified and his consent secured before his name is placed on the ballots. These are then sent to the locals from the national offices not later than six weeks before the convention is to assemble. Each member present in his local union meeting at the time of the election has one vote for each officer to be chosen. Severe penalties are attached to the violation, by any officer and local union, of the constitutional provisions governing the election. Not later than twenty days prior to the national convention the ballot of each local must be sent, in special envelopes, sealed, and marked "election returns," addressed to the national secretary-treasurer, and by this officer deposited in an unopened ballot box. Only the national auditors, or their alternates, who are also selected by popular vote, are to open this box. The result of this election as canvassed by them is reported to the national convention which declares elected to the respective offices those candidates receiving the majority of the votes cast. In case there is no election under this provision, then the convention chooses the national officers, each delegate casting by ballot the number of votes for which his local has paid per capita tax.

This referendum plan for selecting the officers of the national union became effective for the first time in 1902 and is still to be

regarded in its experimental stage. It has not given satisfaction, as recent elections have demonstrated that the rank and file take very little interest in balloting for the candidates except in those districts where strikes are in progress, or had just been closed, or were about to be inaugurated. A scheme is now under advisement to make participation in the annual election for national officers compulsory by fining members who do not vote unless a sufficient excuse can be given. Formerly the election of national officers was by delegates to the national convention. Under this plan it was possible to elect a national officer with less than a majority of the votes of the members of the local unions. It was also possible for officers or candidates to manipulate the election, or form a combination to control the affairs of the organization and perpetuate themselves in power. The plan of election by popular vote was designed to obviate these defects.

When the national convention is not in session all power under its legislation and the constitution of the national union is vested in the national officers. During this time, which is for all but about two weeks of the year, supreme authority is, in the final analysis, in the hands of one man—the national president. In case of conflict of policy, the decision of the president is final. He has power to suspend or remove any national officer “for insubordination or just and sufficient cause”;<sup>2</sup> he temporarily fills all vacancies in the national offices. The constitution provides that in the exercise of the power of removal and appointment he shall have the consent of the Executive Board, but he can suspend or remove the members of this board. He has strong influence over them in still another way: as members of the board these officers receive no salary, but nearly all of them are paid \$4.00 a day and expenses as organizers. Their positions as organizers depend entirely upon appointment by the president. Besides, the president with the vice-president and secretary-treasurer are members of the board. It convenes at his call and is presided over by him. He decides all questions of dispute concerning the meaning of the constitution; he signs all bills and official documents; he determines the salaries of all employees with \$3.50 or less a day and who are not elected by the national convention. He presides at all national conventions, both regular and special. Usually he presents an address to these gatherings, review-

<sup>2</sup> Section 2, Article II, of the Constitution.



ing the work of the national union and recommending whatever action he deems best upon any question before the organization. His recommendations are generally adopted. He calls special national conventions when instructed by the Executive Board, or requested by five districts. He also summons conventions of two or more districts. He may, at any time, in person or through a national officer, visit local unions, district or sub-district conventions and any other places connected with the organization; he may appoint representatives to examine the financial accounts of any local union and instruct its officers in their duties; in brief, he exercises general supervision over the workings of all the unions—local, sub-district, district, as well as national. In 1902 he was paid a salary of \$1,800. This amount has since been increased to \$3,000. He is required to devote his time and attention to the organization.

No strike can be ordered by any district, nor can final action be taken upon any questions directly or indirectly affecting the interests of the mine workers of another district, until the approval of the national president is secured in writing, or, he having disapproved, until favorable action upon an appeal from his decision has been taken by the Executive Board. An exception to this, of course, is in case the strike or action has been ordered by the national convention. Local strikes are under the jurisdiction of the district officers. Together with the other national officers, the president has the power to order a suspension of mining operations by members of the union in any district or districts where such action is deemed advisable for the settlement of a strike in another district, or for the good of the union. The national officers form districts and assign to them the number of men and the extent of territory they are to have jurisdiction over; and they may at any time change the boundary and jurisdiction of any district.

The vesting of such great power, by the United Mine Workers of America, in the hands of one man is due primarily to the exigencies of strike times when, for all practical purposes, the union becomes a military-like organization in the control of which there must not be the least possibility of divided leadership. Labor unions have been taught through sad experience, and none more so than the United Mine Workers, that an industrial army moving for higher wages and better conditions of employment must have but one commander-in-chief if the possibility of defeat is to be reduced to a minimum.

Next in importance to the president in the conduct of the national union is the Executive Board. This board is in a sense the organization's board of directors. It is composed of one member from each district. Unlike the selection of the president, the members of this board are not chosen directly by the local unions, but by the district conventions made up of delegates elected by the locals—somewhat like the choosing of United States Senators by State Legislatures. At the present time there are twenty-three members, one each from the twenty districts throughout the country, and the president, vice-president and secretary-treasurer who are members *ex-officio*. This makes the board too large and unwieldy for expediting business and recently, with the rapid spread of the union and the consequent increase in the number of districts, this question has come to be a very serious one to the officers of the organization. It is more than probable that before long some other plan for selecting the board members will be substituted. Formerly, the national convention elected the six or eight members of the board. Another objection to the board, as at present constituted, is that each member has one vote in its deliberations. This gives to a district having only 2,000 members (such as District 16 in Maryland), as much voting influence as a district having 75,000 mine workers (such as District 1 in the anthracite region of Pennsylvania). This makes it possible for board members representing but 20 per cent. of the total membership to determine the policy of the national union when the convention is not in session. The evil of this defect is somewhat lessened in its scope by the constitutional provision making necessary a vote of two-thirds of the members of the board before a general strike or national suspension order can be issued, and by the power of suspension and removal lodged with the president. The evil of this inequality in the voting strength of the districts in the board has been made still less serious as a result of the anthracite strike in 1902. In the convention of 1903, following that memorable struggle, President Mitchell, in his annual address, said on this point: "Our membership in the anthracite fields represents practically 40 per cent. of the total membership of the organization, while the voting strength of the three members of the National Executive Board from the anthracite field is only about 15 per cent. of the voting strength of the national organization on the Executive Board." He stated that he did not believe

any advantage would be taken of this disproportionate representation, "but in order to overcome what appears to be a plausible objection on the part of the anthracite railway presidents to recognition of our union, I should recommend that upon the question of inaugurating a strike in the anthracite field, the anthracite members of the National Executive Board be given equal voting power with the members of the Executive Board from the bituminous fields. Upon all other questions the voting strength of the members of the board may remain as at present." This recommendation of the president was adopted by the convention in passing an amendment to the constitution providing that each member in the Executive Board, in voting on the question of a general strike or suspension, "shall have one vote, and one additional vote for every 5,000 members in good standing they represent, or a majority fraction thereof."

This Executive Board, including the president, wields power next in importance to that of the national convention; in fact, it executes the orders of the national convention and between conventions exercises full power to direct the workings of the national union, including the levying and collecting of assessments. Not only does it have the power to order a general strike or suspension, but it can overrule, upon appeal, the decisions of district officers upon questions affecting strikes within the district. It is also a court of appeal upon questions affecting the interests of two or more districts, excepting in those cases where the national convention has taken action. The board convenes upon the order of the President, its presiding officer or chairman, or of the secretary-treasurer at the request of eleven of its members. It may at any time instruct the president to call a special national convention. It holds in trust for the national union all moneys in the treasury over \$15,000. Among its other duties is that of a National Board of Conciliation and Arbitration.

Nearly all the members of the Executive Board are employed by the president as national organizers. As such they receive \$4.00 a day and expenses. These are the "walking delegates." They bear the brunt of the fight, are always to be found in the thickest of it and generally constitute the advance guard of the field force of the organization when an invasion of territory heretofore unorganized is decided upon. They are the missionaries of the new doctrine as to the rights of man; they usually are compelled to blaze it forth



to their kind in a wilderness of conflicting passions and class hatreds; they are met with suspicion and bitter antagonism even from those they would save from industrial servitude. These organizers are of many tongues; they go among strange peoples from many climes. They teach their doctrine of unionism alike to the Negro, the Slav, the Lithuanian, the Greek, the German, the Englishman and the American. Through months and even years of bitter antagonism, of almost crushing opposition, they work patiently at their tasks to bring the many nationalities into the organization and to mould the heterogeneous mass into unity of belief and action. Fearless and undaunted they bear persecution and suffer imprisonment and even death for the faith that is in them. However far apart one's views may be from the ends and objects professed by these organizers, if he could but see the spirit of martyrdom often exhibited by them, he would believe, as the writer does, that they are performing a real and a lasting work as pioneers in the formation of our industrial state.

These organizers, going into coal fields whose mine workers are outside the national union, begin their task by getting into personal touch with the men. They stop them on the street corners, visit the places in which they are in the habit of congregating, distribute among them tracts containing information about the organization and in various other ways plant the idea of unionism in the minds of a few of the men. From these few it spreads, at first almost unobservable, until gradually more and more of the workers begin talking about "the union" and by degrees nearly all the employees of the mine, or, where the mines are in close proximity, the employees of a number of mines, are discussing the objects and benefits of organization. When he thinks the time opportune, the organizer calls a meeting of those he believes interested in the movement and organizes them into a local union. They secure a charter and other supplies from the national headquarters for \$15.00 and are assigned a number by which the local is to be officially known. In cases, the jurisdiction of a local may extend to two or more collieries or mines, but as a rule it is confined to the employees of a single mine. Where a mining plant employs several thousand men, they are organized into a number of locals, according usually to nationality, or language or place of residence in case they are scattered in nearby mining towns.

Once the national union gains a foothold in a coal field its spread is rapid or slow depending upon the particular conditions encountered. Miners, mine laborers and other workmen, skilled and unskilled, employed in and about the mine, excepting the mine manager and the top boss, may join its ranks. No one is excluded because of race, color or nationality. Each member is expected to pay twenty-five cents a month as dues and whatever assessments are levied. He is provided with a "due card" upon which the amounts paid by him are entered. This card is his evidence of membership. (In some coal fields, in the anthracite region of Pennsylvania for example, where the union is not recognized by the operators, the members wear buttons in the lapels of their coats as indicating membership in the organization.) Provision is made for issuing transfer cards when members go from one mine to another. Local unions are compelled to accept all properly made out transfer cards and must admit the holder to membership provided he has been a member of the organization for at least three months. No member in good standing who holds a due or transfer card "shall be debarred or hindered from obtaining work on account of race, creed or nationality."<sup>3</sup> When any member is suspended or discharged from his place at the mine, a committee of the local (the mine committee) makes an investigation, and if it finds that the member is not guilty of an offense justifying his discharge, the grievance is reported in writing to the sub-district and district presidents and if, upon investigation, they find the report of the committee to be correct it is made their duty to insist upon the reinstatement of the suspended or discharged member. Members of the locals elect their own officers every six months and legislate for their own particular area subject to the constitutions of the national, district and sub-district unions. Each local is compelled to become a part of and to contribute to the sub-district located within its district before it can secure representation in either the district or national unions, and to secure the benefits of the national union the local must at all times be in good standing with the national, district and sub-district unions. All locals three months or more in arrears for dues or assessments are published each month by the national secretary-treasurer. This is called the "unfair list" by the locals in good standing.

It is in the local union that strikes usually have their origin. Its

<sup>3</sup> Section 3, Article VII, of the Constitution.

members are the workers in and about the mines and are the first to feel the effects of the adverse conditions of employment which give rise to grievances. Whenever any difference arises between the members of a local and their employers it is made the duty of the officers of that local to endeavor to effect an amicable adjustment, and failing in this to notify the officers of the district having jurisdiction over the particular local. If the district officers, after an investigation of the cause of the complaint, fail to effect a peaceable settlement "on a basis that would be fair and just to aggrieved members,"<sup>4</sup> and find that a strike would best serve the interests of the particular locality, they may order the inauguration of a strike. The local has the right of appeal from the decision of the district officers to the National Executive Board. Local strikes not approved by the district officers, or the National Executive Board, are not supported by the district, and any local union striking in violation of these provisions may not be recognized by the national officers. In fact, such unauthorized action on the part of a local union has resulted in its being deprived of its charter. Suspension of local unions has occurred on several occasions during the past five or six years. The charter of a local union at Salineville, Ohio, was revoked in 1902 because it engaged in a strike disapproved by the national officers.

No district can take final action upon questions that directly or indirectly affect the interests of the mine workers of another district, or that require a strike to determine, until the president and secretary of the aggrieved district "shall jointly prepare, sign and forward to the national president a written statement setting forth the grievances complained of, the action contemplated by the district, together with the reasons therefor, and the national president shall, within five days after the receipt of such statement, either approve or disapprove of the action contemplated by the aggrieved district, and such approval or disapproval, together with the reasons therefor, shall be made in writing, and a copy forwarded to the secretary of the complaining district. Should the action contemplated by the aggrieved district receive the approval of the national president, the district shall be free to act, but should the national president disapprove the action contemplated, the district may appeal to the National Executive Board, which shall be convened to con-

<sup>4</sup> Section 1, Article X, of the Constitution.



sider such appeal within five days after its receipt by the national secretary. Until the national president has approved, or the National Executive Board has sustained the appeal, no district shall be free to enter upon a strike unless it shall have been ordered by a national convention."<sup>5</sup> . . . "The national officers shall, at any time they deem it to the best interest of mine workers in a district that is idle, for just and sufficient reasons, order a suspension in any other district or districts that would in any way impede the settlement of the district affected: provided, that such action would conserve to the best interest of the United Mine Workers of America."<sup>6</sup>

As the machinery for the inauguration of a strike is first put in motion by the local union, so does the success of the strike depend to a large degree upon the support given by the locals, not only by those whose members happen to be on strike but by those in other fields whose members remain at work. The members of the locals constitute the rank and file of the organization—they are the privates, corporals and sergeants of the great army of mine workers moving toward an improvement in the conditions of their employment. In peace times they prepare the organization for strikes by contributing, in dues and assessments, to the district and national unions besides providing for their own local treasuries. So well did they do this in 1902 that immediately upon the special national convention issuing its appeal for relief to carry on the anthracite mine workers strike, District 12 (Illinois) contributed \$50,000 from its treasury; District 8 (Indiana), \$10,000; District 11 (Indiana), \$8,000; District 13 (Iowa), \$5,000; District 2 (Central Pennsylvania), \$3,259.50; and Districts 25 (Missouri) and 20 (Alabama), \$1,000 each. Only a month before this appeal was issued District 12 (Illinois) had contributed \$50,000 for the conduct of the strike in the two Virginias, making \$100,000 from one district alone within two months for carrying on strikes. Besides the districts, the sub-districts and locals in all the organized coal producing states contributed in the aggregate a large sum from their respective treasuries to prosecute the strike of the anthracite miners.

Under the constitution every local union is required to pay into the national treasury a per capita tax of ten cents a month for each member and such additional assessments as may be levied by the

<sup>5</sup> Section 2, Article X, of the Constitution.

<sup>6</sup> Section 3, Article X, of the Constitution.

National Executive Board. Boys under sixteen years of age are regarded as half members and pay one-half as much tax and assessment as full members. In the deliberations of the local each boy member has one-half a vote. These dues and assessments from the locals form the principal sources of income for the national union. When a strike of unusual proportions is in progress contributions from other labor organizations and from the general public increase the funds in the national treasury. The important part these play in the conduct of the organization was shown during the six months' strike in the anthracite region of Pennsylvania in 1902. To carry on that struggle alone, not including the expenses accompanying the strike of mine workers in progress at the same time in the Virginias, the various unions of the United Mine Workers of America voluntarily donated \$258,344 and the members of the organization paid in special assessments \$1,967,026, a total of \$2,225,370. This is more impressive when it is remembered that more than one-half of the members of the union, including the 147,000 anthracite mine workers, were on strike and in consequence made no contributions to the defense fund. From the trade unions and the general public \$419,954 was contributed. The total amount paid by the United Mine Workers for strike purposes, from January 1 to December 31, 1902, was \$1,889,202. This included the cost of smaller strikes in seven districts besides the ones in the three anthracite districts of Pennsylvania and the district covering the two Virginias. A total of 184,000 mine workers in the United States were on strike for two months and 160,000 for five months during 1902. In that year the total income of the United Mine Workers of America was \$3,010,877.82, and the total expenditures \$2,080,805.44. At the beginning of 1903 there was a balance in the national treasury of the union of \$1,027,120.29.<sup>7</sup>

All this indicates the importance of the financial organization of the United Mine Workers of America. This constitutes one of the strongest features of the national union. At its head is the secretary-treasurer nominated and elected directly by the vote of the members of the local unions. He conducts all the business of the organization concerning the management of national headquarters, having charge of all books, documents and effects; supervises the management of the *Journal*, the official weekly organ of the union;

<sup>7</sup> Report National Secretary-Treasurer, 1903.

receives all moneys and pays all bills, excepting when the president orders otherwise, and providing that not over \$15,000 is subject to the secretary-treasurer's order at any one time. All sums over this amount are deposited by him to the credit of the Executive Board, and to draw upon these a written order of two-thirds of the board members is necessary. He is required to give a bond of \$25,000. His yearly salary in 1902 was \$1,500 and expenses, but it has since been increased to \$2,500 and expenses. As a rule he reports quarterly to the locals the condition of the national treasury.

Over all the sources of revenue and expenditure the national secretary-treasurer enforces strict discipline with severe penalties for violations of the rules. Each secretary of a local is required by the national constitution to fill out and forward to the national and district secretary-treasurers, before the twenty-fifth of each month, a report of all members in good standing in that local on the first day of that month, together with all taxes and assessments due from it to the national and district officers. For a violation of this provision a local union is subject to suspension from all privileges or benefits until the deficiency is made good. To keep a check on these reports the local secretary must inform the national office of the amount of money paid and the number of members reported to the district secretary, and to the district office the amount of money and number of members reported to the national secretary-treasurer, and he is required to certify that such report is for the full number of members in good standing in the local. Despite these constitutional provisions not a few of the locals fail to report the full number of members in good standing, excepting about the time of the national convention and they do it then in order to secure in the convention as large a voting representation as possible. The reason for their not making the full report is generally traced to the desire of the locals to have their own treasuries well filled in order to meet their own particular wants. Some of the locals have in this way succeeded in purchasing ground and erecting a building for their headquarters. All financial officers of the local unions are required to give a bond "for the faithful performance of their duties." It sometimes happens, however, that officers prove faithless to their trust and abscond with the moneys. The national union makes efforts to have them arrested and punished, but it does not always succeed.



If the members of a local are idle for one month or more they are exonerated from the payment of the per capita tax and assessments until they resume work. This condition may occur through a mine, or colliery, being abandoned or idle for repairs, by a strike or other causes. But to secure such exoneration a request, signed by the president, secretary and Mine Committee, must be approved by the district and national secretaries each month in place of the regular monthly financial report as long as the members are idle. In case the local union is in arrears for two months preceding the one in which the convention is held and has not in every particular complied with the constitution of its district, or has less than ten members, it is not entitled to representation in the national convention.

So well organized are the financial features of the United Mine Workers of America that the national union was able to carry on a widespread system of relief to the needy anthracite mine workers during the closing two months of the 1902 strike. In this relief work no distinction was made between union and non-union men. In fact the testimony of many witnesses is to the effect that aid was furnished as freely to the non-union as to the union mine workers. For this relief work the members of the locals were organized into committees of various kinds. Applications for relief were investigated by one of these committees and if conditions were found as represented, orders for merchandise on local grocers were furnished. On the face of the order was stated the amount for which it was drawn; on the reverse side were blanks for the dates, name, quantity and price of the articles purchased. Both the merchant and purchaser signed the order, when goods to its face value had been bought, and then returned it to the committee, which presented it to the district secretary-treasurer for payment. This officer then secured direct from national headquarters the necessary amount to pay the bills. In some parts of the Schuylkill field it was found necessary for the union to establish commissaries and furnish the needy with food direct from its own supplies. In some parts of the West Virginia field, while the strike there was in progress, scores of tents were erected in the woods for sheltering strikers who were driven from their homes. Food and clothing bought in carload lots by the national union was shipped from the large cities to the disturbed districts and distributed among the strikers.

Not only does the financial feature of the organization indicate that the United Mine Workers is founded upon business principles, but there is still another phase of the work of the national union which more strongly emphasises this statement. This is the holding of an annual joint conference with representatives of the operators and coal mining companies of Ohio, Indiana, Illinois and the Pittsburg field of Pennsylvania. In these conferences labor is regarded as a commodity and the possessor of this labor—the mine worker—is accorded the right, through representatives of the union, to “bargain” with representatives of the purchasers of that labor—the coal mining companies—for the price of his labor and the conditions under which it is to be sold. This joint conference movement in these four states dates its beginning in 1885, although there have been periods since then when it was inoperative.<sup>8</sup> The periods when it was not in force were years of depression in the coal trade, accompanying general industrial paralysis. The United Mine Workers of America had come into existence at Columbus, Ohio, January, 1890, by the amalgamation of the Progressive Union and the National Trades Assembly, No. 135, Knights of Labor, both of which organizations had claimed jurisdiction over the mine workers of the country and between whom there had been bitter and open hostility. To this division in the ranks of the mine workers and to the fact that the young organization was for a time too weak and adverse conditions were too strong, is partly due the failure to hold the joint conferences at intervals preceding 1898. They were restored following the general suspension of soft coal mining in eight of the states in 1897 and have been held annually since then. In Iowa, Kansas, Missouri, Kentucky, Tennessee and Alabama annual joint agreements are also signed between representatives of the mine workers and of the operators in each state. The conferences in the six last named states are held separately and are not a part of the so-called interstate agreement of the central competitive district. The agreements entered into, however, cover in general the same specific points, stating the wages that are to prevail along with specified conditions of employment.

Through these contracts and agreements not a few of the

<sup>8</sup> For a complete and detailed account of the origin and operation of the Interstate Joint Conference the reader is referred to the author's article, “The Union Movement Among Coal Mine Workers,” *Bulletin of the Bureau of Labor*, Department of Commerce and Labor March, 1904, No. 51.

objects of the national union have been attained and undoubtedly better conditions of employment have been secured for the mine workers in the states where they are in effect. Since the great strike of 1897 the United Mine Workers has extended the eight hour workday into the mines of Iowa, Missouri, Kansas, Michigan, Kentucky and parts of Tennessee, and has secured for the mine employees of those states increases in wages ranging from 13 to over 30 per cent. Increases in the wages of mine workers in other states have also been secured through joint conventions with the operators, and increases in wages, with improved conditions of employment, were forced from the railroad mining companies and independent operators in the three hard coal fields of Pennsylvania in 1900 and 1902. Arbitration of the questions in dispute between the anthracite mine workers and the operators, by a commission appointed by the President of the United States, was also forced upon the hard coal mining interests. Since 1898 the membership of the national union has increased from 43,000 to nearly 300,000. Of this total membership about 185,000 mine employees, producing annually 125,000,000 tons of bituminous coal, or over one-third of the total coal production of the United States, now work under agreements. Many of the 147,000 anthracite mine workers are strongly organized in the national union, but as yet they have been unable to secure agreements from the coal hauling railroads which virtually control the mining operations. These hard coal miners produce annually about 60,000,000 tons. The remaining 115,000 mine workers of the country, producing annually about 100,000,000 tons of bituminous coal, and employed principally in the states west of the Mississippi and in West Virginia, Virginia, Michigan, Maryland and in central and western Pennsylvania, are as yet unorganized in the United Mine Workers and have no agreements with their employers.

Enough has been said to show that the management of the United Mine Workers of America is as much of a business as is the conduct of any of the great industrial or commercial enterprises of the present day. It directs its strength against those forces tending to keep down the price of its commodity—mine labor—with as much regard for its own particular interests and in disregard of the interests of others, where and when these conflict, as does any of the industrial or other trusts. In order to control the price of mine labor it aims to prevent mine workers from selling their



labor at a lower price than that set by the union. It does this by taking them into the organization, and persuading them to sell their labor at union prices, or by driving them out of the industry, just as the great Steel Trust endeavors to absorb or destroy the independent steel manufacturer, or as the Sugar Trust attempts to control or drive out the independent refiner. The mine worker refusing from one cause or another to be governed by the union in the sale of his labor is the independent producer of mine labor, or the non-union man. In driving out the commodity he has to sell the union is forced to attack the individual as it is impossible to dissociate the one from the other. In consequence violence and bloodshed results. Not only does the union attempt in various ways to control this independent producer of mine labor in the selling of his commodity, but not unlike the so-called trusts, in fixing the price of this labor and the conditions under which it is to be sold, it brooks no interference from other organizations which have mine labor to sell if it feels itself strong enough to prevent it. This is well illustrated by the United Mine Workers practically driving out of the anthracite fields of Pennsylvania the separate organizations of blacksmiths, engineers, carpenters and firemen which existed in one or more of the three fields prior to the recent strikes. We see it again in the union's steady absorption of the mine employees in the coal producing states west of the Mississippi River, most of whom have been under the jurisdiction of the Western Federation of Miners, an organization composed principally of quartz miners, and the Western Labor Union. If it ever becomes necessary, in order to attain its objects, or once attained, to prevent these objects being lost, the same absorption by the United Mine Workers of the coal miners of Canada and Nova Scotia may be looked for.

Trade unionism, under the stimulus of the United Mine Workers of America, has come to be a business operation on a large scale. As a business its success depends upon the close observance of market conditions and the obeying of laws governing those conditions. Most trusts deal with material commodities—goods that have no feeling or mode of independent action. They are thus able usually not only to increase the price of their particular commodity on a rising market, but if they so wish to reduce prices on a falling market. The difference with the trade union is that it deals with a commodity possessed by an individual with feelings and sympathies

and modes of independent action. The general experience has been that when a period of falling prices sets in, the possessor of mine labor objects strongly to reducing the price of his labor—his wages. The past teaches us that he persists stubbornly, even against the advice of the leader of his union, in his refusal to reduce his wages and will go to the extent of striking against such reduction. The trade union also confronts great difficulties in raising the price of its commodity on rising markets largely due to the fact that the consumers of labor, unlike the consumers of most trust commodities, are strongly organized. The part of the intelligent labor leader—of the business manager of labor—is closely to observe the conditions of the labor and general markets and all factors likely to affect the wages of the worker—the price of labor—and to direct his organization along the lines they indicate is the proper course. A study of such conditions is provided for in the constitution of the United Mine Workers by giving to the president, with the consent of the Executive Board, the power to appoint a man whose duty it is to collect and compile statistics on production, distribution, consumption, freight rates, market conditions, and any other matter of interest connected with the coal trade likely to affect wages.

# THE CAUSE OF BUSINESS STAGNATION

## AN INQUIRY INTO THE INTER-RELATION OF THE INDUSTRIAL AND THE FINANCIAL WORLD

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BY HUGO BILGRAM,  
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Not long before his death the late Senator Mark Hanna expressed his belief that the then prevailing prosperity had come to stay. Unfortunately, events have since shown that his words were the reflection of a desire rather than a prophetic inspiration. In the light of our experience the periodical recurrence of business depressions seems to be a persistent characteristic of the modern industrial era. The present time may be opportune to propound the question whether these recurring depressions are really an inevitable concomitant of industrial progress. If their cause can be discovered, it may be possible to suggest a remedy.

This inquiry must take into account all the symptoms accompanying the alternating periods of prosperity and depression, for no attempted explanation can be accepted as correct unless it can account for them.

One of the most prominent features of dull times is the apparent deficiency of effective demand for both labor and its products. A demand is "effective" if coupled with the intention and ability to give an equivalent in exchange for the thing demanded.

Considering that money is merely a medium for exchanging commodity for commodity, or commodity for service, or service for service, the offer of any commodity or service implies an effective demand for some other commodity or service. Each application for employment, each offer, in the market, of service or merchandise, is accordingly the measure of an effective demand for some other commodity or service in exchange. In other words, each actual supply constitutes an effective demand, and it manifestly follows



that an exact equality constantly exists between total actual supply and total effective demand. While it is possible that in any one branch of production or in any one profession there may be an excess of supply over demand, this very condition is proof of the existence of an excess of the demand over the supply of the products of some other trade or the services of some other profession.

Apparently, this theory is contradicted by the facts developed during periods of stagnation. In every trade the supply exceeds the demand, in every branch of production goods accumulate for the lack of demand, the volume of traffic shrinks far below the capacity of the railroads; in short, everywhere, and especially in the labor market, the actual supply exceeds the effective demand. Yet, according to the above law this excess of supply must somewhere be balanced by an equal excess of demand or deficiency of supply. Is our theory defective? Or is the equalization effected in some way not apparent on the surface and in quarters where the lack of supply has hitherto not been clearly recognized?

A close study of our system of production and exchange may furnish a clue. The modern industrial era is distinguished by a most minute specialization of production, entailing a correspondingly complicated system of exchanges. The practical impossibility of effecting these exchanges by any system of barter is obviated by the use of a medium of exchange, which has therefore become an indispensable instrument of commerce. The historic evolution of this medium of exchange from cattle and other things of value to silver and gold, then to these metals in coined form and ultimately to credit instruments is too well known to need disquisition here.

In the present system practically all merchandise and nearly all services are primarily offered for a money consideration. Barter and payments in kind have almost completely disappeared. But the introduction of a medium of exchange cannot affect the law according to which the sum total of supply must equal the sum total of effective demand. We have still good reason for concluding that there is an insufficient supply somewhere.

Inasmuch as all merchandise and services offered in the market represent primarily an effective demand for the medium of exchange, an excessive supply of the offerings of the market constitutes an excessive demand for money and its substitutes. The observed facts, then, point to "money" as that of which the supply is deficient and

short of the demand, the deficiency being equal to the over-supply of merchandise and services.

This over-supply, ordinarily regarded as "over-production," is accordingly capable of only one logical interpretation. Currency being an institution whose legitimate object is to facilitate the exchange of merchandise and services, for which purpose it is further supplemented by the modern check system, the above reasoning points to the conclusion that even when so supplemented our currency is inadequate to perform all of the work for which it was devised and instituted. Stagnation in business, then, finds a ready explanation in the deficiency of our mechanism of exchange.

This contention is by no means a new one. It has already been discussed by John Stuart Mill,<sup>1</sup> but while admitting an under-supply of money, he failed to pursue this line of investigation to its logical conclusion. Also other writers have referred to it, many of whom consider it untenable, for reasons, however, which are open to dispute.

The substitution of credit instruments for actual currency in many of our business transactions is often claimed to cover every possible shortage of currency. But in the present banking system the volume of that credit which can be used in lieu of cash, namely, bank accounts, never can exceed more than a limited number of times that portion of our currency which is held in banks as reserve, and is therefore strictly limited by the limited volume of currency. While the check system, in performing the function of money, greatly adds to our exchange facilities, yet its limitation prevents it from supplying the entire demand, which is constantly increasing; for the volume of exchanges tends to increase with every progress in the specialization of industries, and this increasing demand has simply outrun the increased supply.

However, the most plausible objection to the conclusion that we are suffering from a dearth of money is based on the fact that business depressions are not permanent, but alternate with periods of prosperity, while the volume of currency in existence during both periods of the cycle is practically the same. Indeed, during times of depression banks are, as a rule, amply supplied with funds which they offer at a low rate of interest. This very fact is generally considered to indicate the existence of a surfeit of money. But this

<sup>1</sup> *Princ. Pol. Econ.*, Mill, Book III, Chapter 14.

conclusion can be shown to be erroneous, since it is possible to account for business fluctuations even on the assumption that the volume of currency were a strictly constant quantity.

It should be remembered that at times a large portion of the existing currency is virtually withdrawn from circulation, not only by hoarding, but also by holding funds for the purpose of lending. Only that portion of the total volume of currency and bank accounts is in actual circulation which is in control of those who intend employing it in commercial pursuits, such as buying things or paying wages. That portion which is held for lending is temporarily withdrawn from circulation. Not until the lender finds an acceptable borrower will it be restored to its natural function, unless, indeed, the owner changes his intention of lending it and employs it in the market directly.

A distinction should therefore be made between funds in circulation and funds held for lending. The latter are in a passive state as regards demand for goods or services and cannot be classified as money in circulation. The total volume of currency and bank accounts should accordingly be divided into two parts, the volume of passive and that of active funds, the one embracing that portion which is held for lending, the other that which is held for buying things and for paying wages. It is true that this distinction is rather indefinite, depending upon the subjective factor: "Intention of the Owner," which in many cases may not even have been formulated, but as in the present investigation only actual transactions need be taken into account, the subjective factor, "Intention," can virtually be transferred to the province of the objective by a proper classification of those transactions. Let us assume that the intention is determined by the nature of the transaction which immediately precedes, leaving departures from this rule to be considered separately.

For this purpose certain qualifications and premises must be agreed upon. In the argument here adduced the term "Debt" will be strictly confined to those relations between creditors and debtors resulting from the lending of funds, excluding those which are contracted in the regular course of business and which merely constitute a delay of payment for merchandise and services. Investments in stocks of a stock company, for instance, cannot be regarded as money loans, while investments in bonds distinctly belong to this



category. Moreover, the principal of a loan should be strictly distinguished from the interest, a discounted note being, of course, a loan of the discounted sum only, and the discount itself simply interest. For the purpose of our discussion, as regards "Intention," it will be reasonable to assume that not only the principal of collected "Debts" but also the incomes from such investments will again be applied to similar investments and they will accordingly be assigned to the volume of passive funds, while incomes from industrial investments are similarly to be assumed as intended for industrial investment and will therefore be assigned to the volume of active funds. To be sure, departures from this rule will frequently occur, as already indicated, and these will be considered in their proper place.

After these preliminary remarks, the import of which will become more apparent further on, we may again return to our subject.

In the regular course of business a continuous circulation of funds takes place between the two divisions noted. There are three channels through which money may flow from the volume of passive to that of active funds and three in which the flow is in the opposite direction. This circulation can be illustrated by the diagram, Fig. 1, in which the sum total of all funds is represented in an enclosure divided into two compartments containing the respective divisions of these funds by a partition with openings through which the various currents are passing to and fro.

One current from the passive to the active division results from "Loans," that is to say, from the process of lending. From this current must obviously be excluded all loans to those who but lend again, such intermediation having no effect on the actual volume of loans. A second current results from a direct restoration to activity of funds that had been in the passive state, for instance, when a portion or all of the interest received on loans or of the principal of paid debts, instead of being again used for loans, as assumed in our premises, is used for living expenditures or is invested in industrial or commercial pursuits. This is one of the departures to which we have above adverted. There is still a third current in the same direction, though comparatively insignificant, consisting of commissions paid to agents and trust companies for attending to loans and collecting debts and interest, as well as of taxes, where the busi-

ness of lending is burdened with taxation. These cover payments for services rendered and other items constituting "Cost," which term is here confined, of course, to the expense of conducting the business of lending.

To facilitate our investigation, these currents may be denominated by the letters: L (Loans), E (Expenditures), and C (Cost).

The first current flowing from the active to the passive division consists of funds applied to the payment of "Debts," related to which is the second current consisting of the payment of interest. In this latter current is of course included the interest paid on bonds, but not dividends paid on stocks, inasmuch as we are here considering only loan transactions. We have next to consider another departure from our assumed premises, a departure which forms a third current from the active to the passive state. We had assumed that funds employed industrially or commercially are in the active state. But as such funds are frequently diverted into loans, which we have assumed as flowing from the passive division, it follows that such funds must previously have been transferred to that division, a transfer which is to be recognized as the third current. Thus, for example, workingmen take part of their earnings to savings banks where the funds are loaned out, merchants or manufacturers lend out some of their profits by investment in bonds, or stockholders apply some of their dividends to loan on mortgage. Such lending of funds previously in circulation is accordingly a dual process, namely, a transfer from the active to the passive division through "Savings," and another passage in the opposite direction through "Loans." This double passage must be recognized for reasons that will appear later.

Reverting to the subject of the second current we should consider that the market rate of interest paid on loans is determined by three economic factors and should accordingly be divided into three parts, namely:

*First*, "Cost," comprising the current expenses of lending, such as commissions paid to agents attending to the business of lending as well as other items of cost. This part is equal to the previously discussed current C.

*Second*, the insurance against "Risk" which inevitably attends the business of lending.

*Third*, the net profit on money loans or "Interest Proper."

Let us denominate these currents by the letters P (Payments of Debts), C+R+I (the three parts of gross interest: Cost, Risk and Interest Proper) and S (Savings devoted to Lending).

If we now further denote by V the volume of active funds and by dV the change or differential of this volume within a given period, and if we disregard, for the time being, any possible changes of the total volume of funds, such as may result from coinage, the issue or withdrawal of currency, the expansion or contraction of bank deposits, etc., it follows that the change of volume, dV, within a given period is determined by the volumes flowing through the several channels within the same period, hence:

$$1. dV = L + E + C - P - (C + R + I) - S = L + E - P - R - I - S.$$

This formula will be used later for further deductions.

In studying the cycle of prosperity and depression there is another item demanding consideration. It is well known that periods of business depression are invariably preceded by more or less pronounced financial crises manifesting themselves by an increased number of business failures. This would indicate that the indebtedness of the industrial to the financial world exceeds the ability of borrowers to pay their debts. To be sure, in this connection we must not leave out of sight that we are here concerned only with money loans and the indebtedness thereby accruing.

The volume of this indebtedness is increased by that current of funds from the passive to the active division which is dominated by the letter L in the preceding deduction and is reduced by the reverse current P. There is, however, another factor reducing the volume of debts, namely, the depreciation of their value due to the insolvency of debtors. A vast amount of lenders' assets is annually ruled off to loss on this account. But in the aggregate this loss is balanced by that portion of the gross interest known in economics as insurance against risk, which has been discussed above and designated by the letter R. It follows then that these three currents are the factors which bring about an increase or a decrease of the volume of indebtedness, according as the opposing currents predominate in the one or in the other direction. If now the letter D is used to designate the volume of indebtedness and dD the change or differential of this volume during a given period, it is evident that

$$2. dD = L - P - R.$$

The reason for carefully defining the term "Debt" as well as

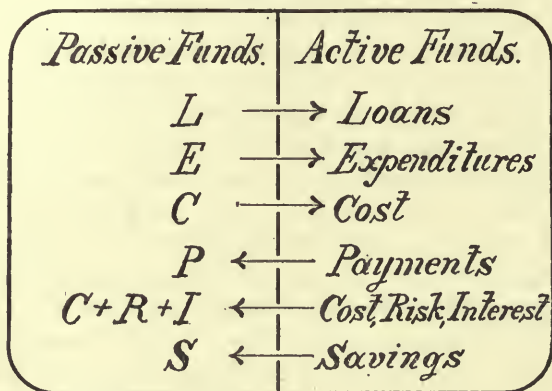


for considering the lending of money previously in active circulation to constitute a dual process will now be understood, for only on these premises will the currents embraced in this formula be identical with those of equal denomination in equation .1, and both equations may accordingly be combined and solved for  $I$ , the resulting equation being:

$$3. I = E - S + dD - dV.$$

This equation will reveal some very instructive information if subjected to careful analysis. As it refers to given periods, it is true for short as well as for long ones. The terms  $E$  and  $S$  will increase approximately in proportion to the time embraced in the period, while the differential terms  $dD$  and  $dV$  will merely fluctuate. At

*Fig. 1.*



times they will be positive, at times negative; in short, they are not cumulative with the increase of time. If long periods are considered, the last two terms will for this reason be insignificant in relation to the others and become negligible. The equation will then assume the form:

$$4. I = E - S.$$

It will be remembered that  $I$  is the volume of the net incomes from money loans,  $E$  is the volume of funds transferred as "Expenditures" from the passive state into the field of activity by being laid out in living expenses or being put out into business ventures, while  $S$  is the volume of funds taken out of the field of activity and

put as "Savings" into condition to be loaned. The current  $S$  being a current of processes which are the reverse of those making up the current  $E$ , the quantity  $E-S$  may properly be termed "Lenders' Net Expenditures." With this in view, formula 4 conveys the information that the aggregate of the lenders' net incomes depends upon and is equal to their "Net Expenditures" when long periods of time are considered. The aggregate incomes from loans, then, are increased by more liberal "Expenditures" of those incomes and are diminished by the "Savings" of industrial earnings and their investment in loans.

This may appear to be a startling proposition. But its truth is unassailable and may be better understood when it is considered that the concept "Lender" is here used not so much in a personal as in an economic or functional sense. The function of lending is that of facilitating the distribution of the available funds into those commercial or industrial channels in which they can perform the most efficient service. It were therefore an error to apply the above conclusion to the individual instead of to the function. To the "Lender," in this exclusive sense, all investments in industrial enterprises are as much "Expenditures" as are outlays for personal necessities or luxuries. The proposition simply indicates that the field of lending is strictly limited and that accordingly the volume of loans cannot be indefinitely expanded. This is indeed confirmed by the fact that numerous representative financiers have of late gone beyond their normal province of "Lending" and have acquired large industrial interests. Their field in the financial world being limited, they find room for expanding their influence in the acquisition and in the creation of giant enterprises, especially those to which of late the term "Trusts" has been applied.

That same conclusion, namely, that the aggregate net incomes from loans are increased by the "Expenditures" of those incomes and are diminished by the factor denominated "Savings," applies of course to the community as a whole. To the individual lender it is inapplicable, inasmuch as an individual lender cannot increase his personal income by spending his resources more freely while other lenders are restricting their outlays and reinvesting the major portion of their incomes in loans.

So far we have dealt only with long periods of time, on basis of which alone our formula 4 is wholly valid. Within shorter periods

the quantities  $dD$  and  $dV$  of formula 3 cannot be neglected and can be shown to have a definite significance in the cycle of industrial conditions.

In this respect four periods can be distinguished, according as the predominating features are, in rotation, at first a positive  $dD$ , followed by a negative  $dV$ , then by a negative  $dD$  and finally by a positive  $dV$ , which means, respectively, an increasing volume of indebtedness, a decreasing volume of active funds, a decreasing volume of indebtedness and an increasing volume of active funds. Of course, these periods are by no means sharply defined. They gradually pass one into the other, not without considerable overlapping. Only when specific causes intervene, such, for instance, as wars or other far-reaching influences, may a comparatively rapid passage from one to the other be observed.

It is perhaps worth noting that in the first two periods the quantity  $I$  exceeds the quantity  $E-S$ , while in the last two this relation is reversed. This agrees with the law expressed by formula 4, according to which any excess of  $I$  over  $E-S$  during one period must be balanced by an equal deficiency during another period.

The diagram Fig. 2 graphically represents the fluctuations, in the course of the cycle, of the two factors,  $D$ , the volume of indebtedness and  $V$ , the funds in active circulation. This diagram will be found to fully illustrate the following analysis of the progress of the cycle.

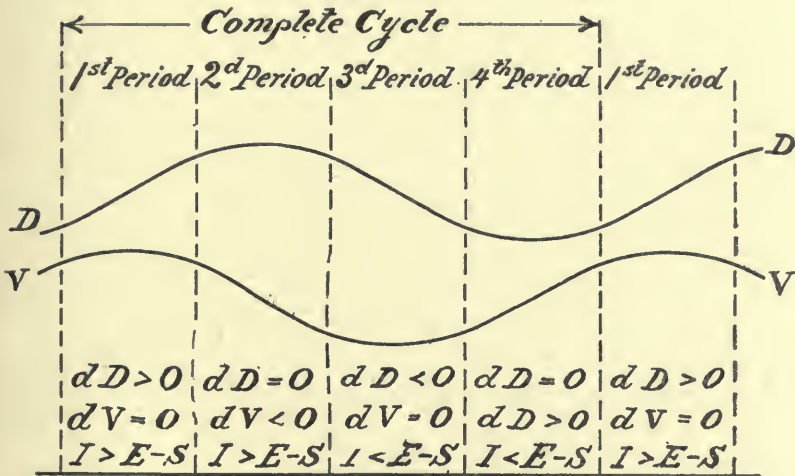
The first period is that in which  $dD$  is positive, *i. e.*, in which the volume of indebtedness is increasing, while  $dV$  is practically nil, *i. e.*, the circulating volume is practically stationary. This is the prosperous period in which commerce flourishes, business increases and new enterprises are established. Expanding business absorbs all available passive financial resources. Those who have funds for lending have no difficulty in making loans on satisfactory terms. Interest rises to the highest rate. Because of the ease with which acceptable borrowers can be found, the bulk of funds is kept in active circulation, for every accretion to the passive volume is promptly returned to circulation. There are comparatively few business failures, hence only a small fraction of the gross interest need be devoted to cover losses from bad debts, the greater portion of interest being net profit.

Trust companies and other financial institutions must reinvest



the incomes from loans in their care, they having practically no choice in the matter. Individual lenders also, spending only a part of their incomes, naturally desire to invest the remainder. It is thus apparent that the "Net Expenditures" of lenders are less than their net incomes, in other words, the quantity  $E-S$  is less than the quantity  $I$ , hence the flow of funds from the active to the passive division preponderates, at least as regards the channels  $E$ ,  $S$  and  $I$ . The primary effect is an accumulation of funds in the passive state, but they are readily restored to circulation by an excess of the current  $L$  over  $P$ . This, however, is attended by a constant increase of

*Fig. 2.*



the volume of indebtedness and with it by an increasing obligation to pay interest, which still further hastens the flow of funds from the active to the passive division through the channel  $I$ . So long as these funds are again released by borrowing, the total indebtedness increases with accelerating rapidity and, in the nature of things, must ultimately exceed the ability of borrowers to furnish adequate security. The borrowing which has heretofore restored to circulation the funds accruing to lenders is then reduced and we enter upon the second stage of the cycle in which  $dV$  appears as a negative quantity, in other words, in which the active volume  $V$  is decreasing, because of the accumulations in the passive state. "Cash" in

business becomes scarce, the payment of accounts becomes tardy, long credits are asked in business transactions. The steady diminution of the quantity of money in active circulation invites hoarding, which makes matters worse. But the flow of funds due to the excess of  $I$  over  $E-S$  continues to reduce the volume of active funds. Finally the increasing scarcity of money in circulation renders it impossible for many of the debtors to meet their obligations and the number of business failures increases, often amounting to a crisis. Business, that is to say, the exchange of products and services, becomes stagnant for the same reason. This marks the advent of the third period in which the term  $dD$  of formula 3 becomes negative, indicating a diminution of the volume of indebtedness. Those business men who can do so pay off at least part of their debts, since a smaller working capital suffices for the reduced volume of business, but the sum total of debts is also reduced by reason of the numerous business failures, and since a greater portion of the gross interest must now be devoted to cover losses, the remainder, constituting interest proper, is materially reduced, even though the rate of gross interest is not changed at once. This is the typical period of business depression. The law according to which the net income of lenders cannot, in the long run, exceed their net expenditures asserts itself. By the force of circumstances over which the lenders have no control, their net incomes fall below their net expenditures in the measure in which they formerly exceeded the latter. Money is now freely offered for loans at a low rate of interest, provided complete security is given, but the scarcity of funds in circulation, combined with the inability of business men already indebted to the limit of their borrowing power to furnish the security demanded for further loans, causes such a stagnation in business that even those not already overburdened with debts cannot afford to borrow.

Finally the third period is succeeded by the fourth in which  $dV$  is positive and which ends in gradual recovery. The net income of lenders is still low, principally for two reasons. In the first place, most of the remaining debts have been renewed at a lower rate of interest and, in the second place, the volume of indebtedness is at an ebb, while the chances for investing the money held by lenders are comparatively few. The low volume of indebtedness during this period is clearly shown in diagram Fig. 2. By an excess of the "Lenders' Expenditures" (as previously defined) over their incomes,

the passive funds are finally restored to circulation. Thus the fourth period merges into the first of the next cycle and the play is repeated.

In reviewing the cycle as here outlined, it will be noted that each period presents conditions which inevitably bring about the results that characterize the succeeding period. The power of money to command interest exceeding "Cost" plus insurance against "Risk," or  $C+R$ , creates a tendency of funds to concentrate in the hands of the lenders. In prosperous times these funds are readily restored to circulation by lending, which, however, correspondingly increases the volume of "Debts." When the increasing indebtedness begins to exhaust the ability of borrowers to furnish security, the accretions to the volume of passive funds are no longer released and the consequent reduction of circulating funds deprives borrowers of the means of meeting their financial obligations. This leads, largely through business failures, to a reduction of collectable debts and incidentally to a reduction of the rate of actual or net interest. The lenders' income is reduced and eventually the accumulated passive funds find their way into circulation through their owners preferring to expend them in industrial or commercial ventures rather than hold them idle indefinitely. In the resulting fluctuation of the volume of active funds the periodicity of business depressions finds a logical explanation. Cause and effect follow each other in their natural sequence, completing a continuous, ever recurrent cycle of the four periods described. It is hardly possible to present a better proof for the correctness of this explanation than the complete agreement of the hypothesis with the facts.

In practice the play of economic forces, as above traced out, is perhaps slightly modified by the constant fluctuation of the total volume of currency and bank deposits, by changes and improvements of industrial and commercial methods, by the practice of hoarding and by other factors, but these influences are sporadic and do not affect the ultimate conclusion, namely, that the capacity of our present system of currency and banking is inadequate to mediate the enormous volume of exchanges required and entailed by the modern system of production.

A remedy can be looked for only in improved methods of mediating exchanges. As one of the possible remedies the writer would suggest that business men establish a commercial clearing house through which their mutual accounts can be cleared practically with-



out the use of current funds. Such a system, if surrounded by proper safeguards, would virtually permit the payment of accounts payable with accounts receivable. In the measure in which business men would thus make themselves independent of the money market, exchanges would be facilitated and stagnation prevented. Indeed, a universal application of such a system may be the means of ultimately eliminating business depressions and of establishing perpetual prosperity.

## SECURITIES OF PUBLIC SERVICE CORPORATIONS AS INVESTMENTS

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Next to railroads and manufacturing corporations, the class of companies commonly known as public service corporations represent a larger amount of invested capital than any other class of private corporations. The Public Service Corporation is so called because it operates under a charter or franchise usually granted by the municipality, which authorizes the corporation to use the public streets for the purposes of its business, and which subjects the company in various ways in the conduct of its affairs to the control and authority of the public power. These companies are electric railways, gas, electric lighting and water companies. Since the business of supplying water has been mainly taken over by the municipal governments, we shall limit our discussion of public service corporations to the three classes first mentioned, and shall pay especial attention to the securities of street railway companies.

The most important difference between public service corporations and other industrial companies consists in the franchise. This may be either exclusive or non-exclusive. If exclusive it is more valuable, although, practically speaking, even if its franchise is not exclusive, a company may be secure in the control of its territory because of physical conditions which may render its position impregnable. The exclusive franchise is more important in the case of an electric lighting property than in the case of gas or electric railway companies, for the reason that there is more opportunity for competition in that business than in the others. A street railway may have a non-exclusive franchise that is practically exclusive because of its occupancy of all the streets on which a railway could be built, but an electric lighting plant is always open to an invasion of its territory. It is also generally true that the required investment in an

electric road is larger than in the case of an electric lighting plant, and where an operating lighting company is doing a good business every inducement is offered for the formation of a rival concern, which can install a new plant for a few thousand dollars and invade the territory of the older company with lower operating expenses. Gas companies, on the other hand, are more frequently operating under exclusive franchises than are the electric lighting companies. They are generally older and began operations at a time when exclusive franchises were frequently granted, while the electric lighting companies, having been for the most part chartered within the last twenty years, show the modern tendency to limit the scope and duration of corporate grants.

The consequences of competition in the lighting field are frequently disastrous. About five years ago there was a consolidation, as the result of competition, of three electric lighting plants and one gas plant in a Pennsylvania town of about 20,000 inhabitants. The securities of these four companies were all somewhat watered, and more water was put in to the capital of the company formed to control and operate them. The fixed charges were, however, regularly paid, as well as a dividend of 5 per cent. per annum on the stock. The total capital and bonded debt of the parent and underlying companies amounted to about \$500,000, far in excess of cost. Two years later a company was organized, to operate in the same field with a capital of \$100,000 with which they were able to install a modern plant. They were able to operate more cheaply and reduced their rates, the reductions being met by the older concern. Within six months the lower rates forced the older company to suspend dividends and to meet its interest charges out of its surplus. The new company, however, was able to do business at a profit and soon began the payment of 5 per cent. dividends. In larger cities the chance of such competition as the foregoing is, of course, less. In Philadelphia, for example, the Philadelphia Electric Company has a practical monopoly of the electric lighting business, although there is another company (The Keystone Telephone Company) which has a franchise to light any part of the city. Another important consideration regarding franchises is their period. If they are perpetual the bondholder need not concern himself with the duration. If for a limited term, their term should be compared with the life of the bond. It may be stated generally that no bond can be con-



sidered safe unless it matures before the expiration of the franchises of the issuing company. As above remarked, perpetual franchises are now seldom granted. In Pennsylvania no company can be organized under a perpetual charter. In Ohio and Indiana there are laws limiting the time for which the franchises can be granted, and in one state in the Union it is certain that a considerable number of railways are operating under franchises which were not granted in accordance with the laws of that state. The present tendency is to grant franchises to electric railways, gas and electric lighting properties for a period of from twenty to forty years. In Massachusetts a commission is empowered to fix the amount of stock and bonds of every such corporation in the state, as well as to fix prices of fares to be charged. This power of the commissioners was upheld in the recent decision in the Massachusetts Supreme Court in the case of *Keefe vs. The Lexington and Boston Street Railway Company*, in which the Court decided that the right to regulate street railway fares rests solely with the Legislature, acting through the commissioners. In Ohio a bill to create a state Public Service Board has been introduced in the State Legislature which provides that the board shall have power to grant franchises, regulate fares and other charges, and authorize the construction, maintenance and operation of public service plants. The effect of the Massachusetts law has resulted in many cases in the public service corporations having a large floating indebtedness, because, as stated before, the issuing of bonds must be passed upon by the commissioners.

The most prominent case in the country at the present time involving the duration of franchises is the Chicago case. The issue there hinges on an interpretation of an act of the Illinois Legislature, passed in 1865, by which, as the companies claim, the franchises as well as the charters of the existing street railways in Chicago were extended ninety-nine years. The contention of the city is that the act was not so intended, and if it was so intended, that the portion of it extending the franchises would be unconstitutional, as—although the act extended the corporate life of the company, and therefore authorized the city to grant it franchises during its corporate life—the power of granting specific franchises was still left with the city. The city has offered to grant an extension of franchises for a period of years if the company will waive any rights which it has under the act of Legislature, and will pay a certain per-

centage of its gross receipts to the city. The matter has not yet been settled as the company is reluctant to waive such rights, and on March 14th of this year the City Council again postponed final decision by granting an extension until January, 1905.

The bondholder, having his legal rights under a mortgage, should satisfy himself that the property is worth the amount of the mortgage, so that in the event of a foreclosure his interest will be protected and the principal of his bonds paid. In Massachusetts a public service corporation can only be bonded for 50 per cent. of its capital; that is, if the bonded debt amounts to \$1,000,000 there must be at least \$1,000,000 in cash actually paid on the stock. In most of the states there are no such provisions, and the investor must consider each proposition by itself to determine the security of his bonds. In many instances street railways are bonded for the cost of the property, and the stock is issued with reference to anticipated profits. The bonds of a company so mortgaged may be a fairly safe investment where the earnings and the prospects of the company are favorable. In numerous instances 10 per cent. in cash is paid on the stock, and where this is done there is an equity for the bondholders in the case of a default being made on interest and a consequent foreclosure.

The next consideration in determining the security of a bond is the question of earnings. Where a company is earning no more than its fixed charges, including interest, taxes and guaranteed rentals, its bonds would not be considered investment securities. Where the net earnings exceed the fixed charges by 50 per cent., and the prospects of the company are good, the bond may be considered reasonably safe. Where net earnings exceed fixed charges by 100 per cent. the bond may be, generally speaking, considered entirely secure. These general rules are, however, subject to exceptions. Although there may be a large surplus over fixed charges, if the proper amount has not been spent for maintenance of the property, the "net earnings" are fictitious, and the bondholder is in no better position than although the company had laid aside a proper amount for depreciation and had no excess of earnings. On the other hand, where there is but a small excess of earnings, the securities of the company may be very attractive, as where a recently organized concern is under able management, with good prospects for increasing business.

The income of street and electric railways in the United States

in 1902 amounted to \$247,553,999. Of this income, the receipts from passengers amounted to 94.5 per cent.; from chartered cars,  $\frac{1}{10}$  of 1 per cent.; from freight,  $\frac{4}{10}$  of 1 per cent.; from mail,  $\frac{2}{10}$  of 1 per cent.; from express,  $\frac{2}{10}$  of 1 per cent.; from sale of electric current, 3.1 per cent., and from miscellaneous sources, 1.5 per cent. The percentage of operating expenses to gross earnings was 64.4 per cent. in 1890 and 57.7 per cent. in 1902. Of these operating expenses, maintenance of ways and structures cost 8.5 per cent. of the total, maintenance of equipment 11.7 per cent., operation of power plant 16.2 per cent., operation of cars 43.9 per cent., general expenses (including salaries, etc.) 19.7 per cent. These figures are of interest in their application to any special property as showing whether or not its operation is above or below such average. During 1902 there was an average rate of 5.1 per cent. paid on the stock of all companies which paid dividends, but on about one-half of the stock issued there were no dividends paid. Of taxes and fixed charges the interest on funded debt amounted to 45.4 per cent. and the rental of leased lines 32.9 per cent. The figures which are here given regarding electric railways have been compiled from the census reports, and the different items constituting operating expenses have been given in the percentage which they bear to the total expenses. As a matter of practice, the reports of the street railway companies are made up showing the percentages which each item of operating expenses bears to the gross earnings. The report of the New York State Board of Railroad Commissioners for the year ending June 30, 1903, shows the percentages of subdivision of operating expenses in New York both in their relation to total operating expenses and to gross earnings. They are as follows: To total operating expenses, maintenance of way and structure, 6.92 per cent.; maintenance of equipment, 10.29 per cent.; operation of power plant, 16.33 per cent.; operation of cars, 48.74 per cent.; general expenses, 17.72 per cent. In their relation to gross earnings they are as follows: Maintenance of way and structures, 3.99 per cent.; maintenance of equipment, 5.94 per cent.; operation of power plant, 9.42 per cent.; operation of cars, 28.13 per cent.; general expenses, 10.22 per cent.; making the total operating expenses 57.7 per cent. of the gross earnings.

In comparing the operation of city lines with interurban lines, it will be found that the principal differences in cost occur in operation of power and operation of cars. Cost of power is proportionately



less in city systems, owing to the greater economy in furnishing it from one central plant. On the other hand, cost of operating cars will be found less on the interurban line in proportion to gross receipts, owing to the fact that cars are generally larger, carry more passengers and operate at higher speed, with consequent larger receipts earned in any given time since the platform expenses—motormen's and conductors' wages—being practically the same per hour as on the city system. The total operating expenses of interurban lines in proportion to gross receipts average somewhat less than the operating expenses of city systems, showing the smaller operation of car cost to be a greater factor than the savings of the city lines from economical operation of power.

The value of gas products in 1902 was \$75,716,693, to produce which involved an outlay of \$5,273,900 for salaries of officials, clerks, etc.; \$12,436,296 for wages; \$14,769,022 for miscellaneous expenses, including rent, taxes, etc., and \$20,605,356 for materials used; namely, supplies, freight and fuel. Of the cost of materials coal cost 34.8 per cent. of the total, coke 3.5 per cent., oil 39.6 per cent., water 1 per cent., fuel 5.3 per cent., mill supplies  $\frac{7}{10}$  of 1 per cent., all other materials 11.6 per cent. and freight 3.5 per cent.

The total capital stock of the electric lighting companies in 1902 amounted to \$372,951,952. Of this amount 6.4 per cent. was preferred stock and 93.6 per cent. common stock. Dividends at an average rate of 4.4 per cent. were paid on 36.2 per cent. of the common stock and at an average rate of 5.2 per cent. on 51.1 per cent. of the preferred stock. The total income of the electric lighting properties was \$85,700,605, of which 91.9 per cent. was from private stations and 8.1 per cent. from municipal stations. In the private stations arc lighting contributed 28.1 per cent. of the total, incandescent lighting 52.4 per cent., other electric services 17.7 per cent. and all other sources 1.8 per cent. The municipal stations received 48.7 per cent. from arc lighting, 48.2 per cent. from incandescent lighting, 1.3 per cent. from electric services and 1.8 from all other sources. The total expenses of electric lighting stations were \$68,081,373, or 79 per cent. of the gross income. Of this amount the private stations paid as salaries and wages 29.9 per cent.; for supplies, materials and fuel 32.6 per cent.; for rent, taxes, insurance and miscellaneous 18.2 per cent., and for interest on bonds 19.3 per cent. The municipal stations paid for salaries and wages 35.8 per

cent. ; for supplies, materials and fuel 46.2 per cent. ; for rents, taxes, insurance and miscellaneous 8.4 per cent., and for interest on bonds 9.6 per cent. It will be seen that there is a considerable difference between private and municipal stations in the expense account, as in many cases the municipal stations failed to report rents, etc., because they were included in general accounts for public work, while the proportion expended for salaries, wages, supplies, etc., is greater. The statistics as to line construction are interesting, showing the overhead construction to amount to 101,383 miles and the underground construction 5,847 miles.

In a country with a growing population there is reason to believe that the earnings of street railway, gas and electric lighting properties will increase from year to year. The population of the United States, if the ratio of increase is maintained, will double within the next fifty years, and will even then show a density of from but one-fifth to one-seventh of that of European countries. The gross earnings of 445 electric railways for periods ending different months in the year 1903, show an increase of 10.45 per cent. over corresponding periods of the previous year, and the net earnings show an increase of 7.77 per cent. These average figures have, of course, been exceeded in various parts of the country where the introduction of the trolley has been comparatively recent, and where the population has been increasing at a ratio above the average. For instance, the Indianapolis Traction and Terminal Company, which controls the street railway lines in Indianapolis, reports that the gross earnings in 1902 increased about 15 per cent. over those of 1901, and for 1903 about 15 per cent. over those of 1902. Where a bond has been purchased in a company with earnings of 50 per cent. in excess of fixed charges, the security may be regarded as fairly satisfactory, even although there be no prospect of this surplus being increased, but in many instances companies have been financed with requirements which increase each year. The Public Service Corporation of New Jersey—a company organized for the purpose of operating and controlling street railway, gas and electric lighting properties in that state—has leased a considerable number of properties, the rental for which is to increase annually. Leases on these properties have been obtained, in exchange for which the Public Service Corporation has given guarantees on their stock of from 1 per cent. to  $3\frac{1}{2}$  per cent. the first year, up to 5 per cent. and 8 per cent. the ninth year and thereafter.

It is possible to estimate with accuracy, from population and general conditions, what the earnings of a prospective railway, gas or electric plant will be during the first year of operation, and how those earnings will increase from year to year. The United Gas Improvement Company of Philadelphia, for example, upon obtaining control of a property, generally reduces the price of gas, and from its long and thorough experience in the management of gas properties can estimate the extent to which this reduction will increase the output, taking into consideration the population of the territory and its ratio of increase. Good management can always swell the earnings of a property which has been before improperly managed, and many economies can be effected and policies adopted which will increase the earnings of the concern even though prices be reduced. The same considerations are applicable to street railway properties. The running of interurban cars on a half-hour schedule may or may not be a proper method of operation in a certain locality. It is frequently found that where cars have been so operated the changing of a schedule to a fifteen-minute one has resulted in considerable increase of earnings, since it is a fundamental principle of transportation that facility will create travel, and while the operating expenses are only slightly increased by the addition of a few cars, the added revenue from those cars may be almost entirely net profit. Furthermore, under a consolidation of properties such as has taken place in New Jersey under the management of the Public Service Corporation, a reduction in general expenses and in cost of operation, results in an increase of earnings which enables dividends to be paid on stocks on which there would otherwise be no return for years.

One of the most noteworthy examples of what good management will do for the earnings of a company has been shown by the United Gas Improvement Company of Philadelphia. Since that company leased the gas works from the city of Philadelphia it has paid 8 per cent. dividends on its shares of stock and has saved that city \$765,000 per annum. For the four years before the United Gas Improvement Company obtained control of the city property, and while the plant was under city management, the net annual surplus amounted to only \$136,000. The rental of offices was not included in these figures, and it is found that when such rental, as carefully compiled from official documents, is deducted, this net sur-



plus is changed into an annual deficit of about \$240,000. Under the management of the United Gas Improvement Company, the city has received an average yearly net revenue from the company of about \$390,000, as it is given 10 per cent. of the gross revenue from the sale of gas in Philadelphia. The United Gas Improvement Company has besides spent for betterments about \$134,000 per annum more than the city. These items of an increase in the amount expended for betterment, percentage of gross revenue paid to the city and deficit under the city control show a gain of \$765,000 per annum to the city by United Gas Improvement Company management.

Another important consideration which the prospective bond purchaser in a street railway, gas or electric lighting company must have in mind is the possibility of maintaining fares and rates. It is desirable that the company operating under a franchise from a city have a contract with that city fixing rates so that the earnings of the company can be more certainly estimated. In the absence of such a contract there is a possibility of forced reductions. When the United Gas Improvement Company leased the gas works of Philadelphia the price of gas was fixed at a net rate of 90 cents per thousand cubic feet for ten years, to be reduced in 1908 to 85 cents for five years, in 1913 to 80 cents for five years and in 1918 to 75 cents. When eastern capital was first invested in the trolley lines of western states, there was considerable difficulty between operating companies and the cities in which they operated, as in some instances the latter attempted to force a reduction in fares to be charged. In consequence of such a dispute, the Indianapolis Street Railway Company, when it acquired its franchise from the city of Indianapolis for thirty-four years in 1899, obtained a contract by which the regular fare was to be 5 cents with free transfers, and tickets were to be sold six for 25 cents or twenty-five for \$1, and in consideration of this agreement the company bound itself to pay a certain sum yearly to the city.

The most prominent case at the present time involving a forcible reduction of fares is that of the one in Cleveland, Ohio. An ordinance has been passed in the City Councils fixing the rate of fare on street railways operating within the central portion of the city at 3 cents with free transfers, and providing that the city may purchase the property at any time, the price to be fixed by a Board of Arbitration. A long controversy between the city and the com-

pany over the expiration of the company's franchises has resulted and the difficulties there have not yet been concluded. If the ordinance stands the result will be that about 85 per cent. of the residents of Cleveland will only have to pay a fare of 3 cents. Prominent street railway men believe that this reduction will result in such a loss in gross earnings as to destroy the profits of the company. Unless the company will accept the plan it will not be given the desired twenty-year franchise by the present Councils, and although it has provisionally adopted it, it has not yet definitely and legally done so, and if it is found to be unsatisfactory to the company, more litigation is probable.

In the operation of interurban lines, the average fare throughout the United States is 1.3 cents per mile, although many lines operate profitably at 1 cent per mile. Below this rate, the operating expenses are apt to be too large in proportion to gross receipts to make profitable returns, while above 1.5 cents per mile the rate approximates steam railroad conditions too closely to develop the heavy travel which justifies frequent electric railway service. The concentration of generating power at some one point operating a number of motor units over an extended system is the attractive feature of an electric railway as compared with the steam railroad, but unless there is sufficient population to justify frequent service a given territory can scarcely be said to afford an electric railway enterprise.

The tendency of interurban lines recently constructed has been to build them on private right of way when possible. Although the original cost is greater, there are a considerable number of reasons for so building them. The greater speed saves the passengers time and is an inducement to travel which is specially noteworthy where the private right of way runs through city limits. The slow trailing behind the city trolley cars and wagons is avoided, and the company is not subject to municipal speed restrictions. The private right of way is also important from the operating standpoint. The expenses of handling given traffic will be less, since there is no paving to maintain and the expenditure on maintenance of track, bridges and tie renewal is less because of the lack of wear and tear of extraneous traffic. The greater speed on a private right of way will not only make the service more reliable, but also decreases the accident and legal expenses, and has many other advantages. It will be

thus seen that a road operating over its own right of way will have a lower operating ratio, and will in consequence have a larger surplus over fixed charges, provided that the securing of the right of way has not been so expensive as to make the amount of the bonded indebtedness too large. It is a problem with every prospective street railway, gas and electric lighting company as to how much can be safely spent for buildings, plant, trackage, wiring, etc., as it is, of course, possible to make these so expensive that the company will be unable to earn anything in excess of the interest on the money so spent. On the other hand, there are many improvements every year which are not only desirable from the standpoint of creating traffic, but also in order to enable the company to operate at a lower ratio. This is forcibly shown in the decrease of the operating expenses in street railway properties from 64.4 per cent. in 1890 to 57.5 per cent. in 1902.

We have so far dealt mainly with those companies which are in operation. In many instances investors are asked to purchase bonds in companies not in operation, where earnings are apparently problematical. The science of street railway, gas and electric lighting properties is, however, so complete and exact that it is usually possible to estimate what the earnings of such companies will be. There are very few cases where lines intelligently established have been unsuccessful. Many considerations must be taken into account, but where the knowledge of the business is supplemented by common sense, such investments are usually secure. Just as the life insurance company calculates its financial returns with the utmost confidence from the average life of humanity, so each inhabitant of any given community has been found to reward with a certain number of dollars per annum the electric company serving him. Electric railway territory must be divided into the local system in the town of 10,000 population and the city of 100,000 to 1,000,000 population, and the average earnings per capita determined in each. Factors of calculation must be used intelligently in each case. The shape of the city, whether elongated, circular or compact, must be considered. as must also the character of its population, their residence location with reference to places of employment, and the relative prosperity. Calculations of suburban and interurban earnings are more complex, being dependent in addition to the above conditions on the number of the local populations along the line and the distance from the terminal



cities to where they are tributary, rather than upon the exact size of the terminal cities. To develop a maximum of earnings per capita from the local population along the line, the terminal city should be several times larger than the local towns and villages, so that the latter are in the fullest sense commercially tributary. The question of franchises, equity in the property and rights of way must also be considered by the prospective buyer of a bond of a company not in operation.

The problem of the organizers of such a company is the same as that of the investors if they are going to stand by the property, but sometimes concerns are organized during speculative booms merely for stock jobbing purposes, and where suspicion of good faith exists the closest scrutiny is necessary. A road may be so cheaply built that in the course of a few years the power plant and equipment will be worn out, and the bondholders will find their property in the hands of a receiver. If proper attention has been given to these matters, the main things to be considered are the population of the territory and the activity of that population. If the line is to be built through a country where there is but little industrial or farming population which travels, the earnings, of course, will not be so great as in the case where the line is to be constructed through a territory having a similar population which is continually traveling between the different points. Investors are frequently found who will not put their money in the bonds of a company which operates in a community depending upon any one industry, as in the coal regions in Pennsylvania, where in the event of a strike the earnings must necessarily fall off considerably. Where the road is built along the bank of a river it can in some instances only draw from the population on that side, and unless that population is double per mile of road than ordinarily required the line can hardly be a success.

Another class of electric railway companies which have frequently been found unprofitable are those operating during a portion of the year only, although there are, of course, a large number of lines which are paying satisfactory returns to the stockholders which are dependent for their earnings entirely upon the summer season, such as those running to parks and summer resorts having a large patronage. Unless the traffic is unusually heavy during the summer these roads will naturally not pay, as if they operate for only six months in the year, they must do twice the business which would

ordinarily have to be done in a year in order to meet the charges on the capital invested. A number of such companies operating their cars during the entire year, operate at a loss during the winter months, so that during the summer season not only do they have to do a double business, but have also to make up a deficit.

In some localities it has been found possible to use nearby water power. This generally results in reducing operating cost where the water power can be depended on for the entire year. Where it must be supplemented by a steam power plant to be used during the dry season, there is a double investment on which interest charges must be earned, and which cannot generally pay, even although the operating expenses are reduced for a considerable period of the year. When there is a continuous flow of water, however, water power is very desirable. Not only is the normal cost of fuel avoided, but the operating company is not subject to any sudden advance in prices as the result of a fuel famine. It is difficult to compare the costs of producing electricity by means of coal and water power. The price of coal is a variable quantity, and the result of the comparison depends also upon the amount of the investment in the power plant, which must necessarily vary according to the amount of dam and canal building required. In many instances, however, manufacturers and electric railway and lighting companies have been supplied with power costing them but from 50 per cent. to 75 per cent. of the cost of producing it themselves by coal engines.

In this country, with its steady growth in population, all kinds of quasi-public corporations have, generally speaking, reason to believe that their business will increase from year to year. There are some advantages which street railway properties have over the steam railroads, however. In many instances the latter are dependent largely upon the prosperity of a particular industry, as in the case of the coal and grain roads. It has been found that when there is a general industrial depression throughout the country the business of the railroads always falls off, whereas the electric railway, gas and electric lighting companies are but slightly affected. This is particularly true of the street railways, as in their case the income is absolutely direct, and it has been found that the earnings of these properties have increased from year to year at a ratio independent of general industrial inactivity. For these reasons electric railway,

gas and electric lighting companies have not had to go through the same stages of reorganization which took place in the case of the steam railroad companies. In many instances railroads were built for the purpose of developing the country, whereas the other class of quasi-public corporations have in the main only been built after such development, and when the earnings could be very accurately calculated. During the last two years the securities of railroad companies have suffered a severe depreciation, whereas the depreciation in the securities of electric railway, gas and electric lighting companies has been comparatively slight.

Statistics show that the average earnings per annum of electric railways are about \$3,800 per mile, while the average earnings of the steam railroads from passenger traffic are only \$1,700 per mile; that the average operating expenses of the electric railways are about 57 per cent. of their gross earnings, while the average operating expenses of the steam railroads are over 65 per cent. This is even true in instances where the electric and steam railways are parallel, so that they are operating under the same advantages and disadvantages. Electric railways also handle express, freight, etc., at a less rate than steam railways, the cost to the former being 21 per cent. and that to the steam roads over 48 per cent. In some instances the latter have been glad to have the electric railways take part of their local business, but in many cases the trolley lines have taken a large part of such traffic, even although the railroad has cut rates in order to meet fares charged by the trolley company. At the present time the electric railways with their long distance lines, and buffet and sleeper cars are entering into the field of long distance travel, and it will be interesting to see how far this competition will affect the steam roads.

While it is thus seen that the electric railway, gas and electric lighting companies have certain advantages over the steam railways, they also have certain advantages over each other. They are, of course, alike in that they have the same requirements as to franchises, etc., but are essentially different in certain particulars. The returns from electric railway and lighting properties are generally more quickly obtained than from gas properties. This is in one sense an advantage, but it is a disadvantage when the prospect of competition is considered. When the field of lighting was invaded by electricity, considerable apprehension was felt that the earnings of the gas com-



panies would be decreased and in some instances this was the case. At the present time, however, by the use of gas for heating and the introduction of cooking stoves, the gas companies have been able to show an increase instead of a decrease from their operations. An officer of a prominent gas company recently stated that the existence of an electric lighting plant in the same town with a gas property was no objection to the purchase of securities in the latter, and this statement has been entirely verified. Each company has its own field for operation, and from the business standpoint there is no reason why both cannot be successfully operated and pay returns upon the investment made. The ideal condition is, of course, to have the electric lighting and gas plants owned and operated by the same company. Under these conditions there is no danger of either company cutting rates and entering the field of the other, and there can be greater economies effected in general expenses. There are at present numerous plants so operating, and it has been found that there is not only a saving in the matter of salaries and rents, but that the electric light can be produced more cheaply by the use of gas engines supplied from the gas plant.

When an investment is contemplated in the bonds of an electric lighting or gas property, the matter as to whether or not these properties are located in a natural gas region should be carefully looked into. Natural gas can, of course, be delivered to the consumer at a considerably lower rate than either the electric light or manufactured gas, and if there is any reason to believe that it exists in any locality having an electric lighting or manufactured gas plant, an investment in the securities of either of the latter would always be open to attack unless the natural gas field is controlled by them. In Pittsburg the Philadelphia Company controls the traction lines, the electric lighting and both manufactured and natural gas, so that it has a complete monopoly and is not open to competition. This company delivers natural gas at a lower rate than manufactured gas, but only for the purpose of fuel, whereas the manufactured gas is used solely for lighting purposes. While the returns from the electric railways and lighting properties are more quickly obtained in many instances than from gas properties, it must be remembered that the depreciation in the case of the latter is much less than in the case of either of the former. A prominent engineer recently stated that at the end of ten years the plant of an electric lighting property is

obsolete. This means that the depreciation in a property of this character is 10 per cent. per annum, whereas the depreciation in the case of a gas plant is probably only one-third as great. It is difficult to obtain any definite figures showing the depreciation allowed in the case of a gas or electric lighting company, or the percentage which operating expenses bear to the gross earnings, because companies are loath to make public any detailed reports, since they would thus supply their competitors with valuable information. Moreover, while the rate charged for fares throughout the country is practically uniform, the rates charged for gas and electric light vary greatly, and where a gas company receives \$1.40 per thousand cubic feet for gas the operating ratio is much less than where it is receiving 90 cents for the same amount.

The future of electric railway, gas and electric lighting companies is promising. These industries have not only tributary to their lines or plants an increasing population, but a population which makes increasing demands upon their facilities. With lower operating expenses resulting from improvements and inventions, there is yearly a larger surplus over gross earnings, which will not only enable these companies to pay reasonable fixed charges, but will also enable them to declare satisfactory dividends upon their shares of stock. During the last six months there has been a steady increase in the price of listed railroad bonds, which has carried them to quotations higher in some instances than those prevailing at the time of the last great speculative boom. The low rates for money, together with an exceptionally conservative spirit, have resulted in a steady absorption of this class of securities. The present ruling prices are such as to make them prohibitive to the average investor, and with returning confidence it is to be expected that there will be considerable selling of these bonds and reinvestment in securities of sound street railway and gas properties. The time is not far distant when the bonds of many public service corporations now selling on a 5 per cent. basis will be regarded as "gilt-edged," and it is doubtless true that some of the great fortunes of the future will be made by purchases of the stocks of interurban lines just as they were made by investment in railroad stocks years ago, and more recently in the stocks of city electric railway companies.

## COMMUNICATION

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### THE EDUCATION AND PROFESSIONAL ACTIVITIES OF WOMEN

BY SOPHIE YUDELSON.

The direct relation a given social system bears to the employment and consequently the education of women may be illustrated by comparing the educational status of southern women with that of the women in the western states.

The South, for years a slaveholding community, has in a remarkable way reproduced, in matters feminine, the old ideals of the Old World civilization; a general depreciation of woman's labor and a spirit of romantic chivalry, combined with a desire for a separate "sphere." "We find accordingly the sentimental sex attitude everywhere prevalent discouraging any progressive movement of woman, and forever advocating the domestic standard as an all-absorbing and sufficient profession."<sup>1</sup> Accordingly "they study at a high school or academy such things as befit their position as young ladies whose business is to be charming and whose destiny is marriage."<sup>2</sup> "It is recognized as a necessity that some women must support themselves, but at the same time it is considered a cause of regret. . . . There is a covert apology for the professional woman, a kindly-intentioned explaining away of her labor from the mouth of her friends. . . . A striking proof of this is the gratuitous remark often heard that the woman who works is deserving of just as much respect as the one who does not."<sup>3</sup> Furthermore, "the woman worker in the South is an object of sympathy if purely static; of aversion if dynamic and independent." Hence, "in the catalogue for 1889 in the Norfolk College for Young Ladies, the aims of the school are said to be molded in accordance with the principle that a woman's province in life is to throw herself heartily into the pursuits of others rather than to have pursuits of her own."<sup>4</sup> A little training in French and music, and some study of English literature, are generally supposed to be sufficient for that.

However, changes are being wrought even in the old South. The system of economic activity introduced after the abolition of slavery created a demand for women's work. This demand seems to have a wonderful effect on college curricula for girls. For instance, the Georgia Female College, established in 1839, prescribes "Harkness' First Year in Latin" as the only preparation in

<sup>1</sup> Arena, 1899, p. 755.

<sup>2</sup> P. 745.

<sup>3</sup> P. 748.

<sup>4</sup> Annie Nathan Meyer, "Woman's Work in America," p. 90.



languages for entering the freshman class and plane geometry is a sopohomore study. The Industrial Institute and College at Columbus, Miss., established in 1885, gives in its collegiate course analytical geometry, Juvenal, metaphysics, political economy, etc.; calculus, descriptive geometry, quantitative analysis and the history of philosophy are among the subjects offered in post-graduate courses.<sup>5</sup> The study of these and similar subjects may not be of special value to certain husbands, but practical employers, willing to pay respectable salaries, demand thorough training as a prerequisite; and conscientious husbands, who prefer bookmaking to slaveholding, seldom fail to note in their prefaces the obligations to their wives.

Turning now to the West, one does not find that a separate "sphere" for women was ever considered desirable. Instead of inquiring how much or how little education woman should receive, there was the extreme opposite discussion as to whether or not women should be educated together with men. This discussion has resulted in the fact that "at the present time in the western states and territories the higher education of women is generally identical with coeducation." Writing, in 1890, on the "Education of Woman in the Western States," Mary W. Sewal gives the following facts:

"1. Of 212 institutions, exclusive of colleges of agriculture and mechanic arts, which afford the higher culture to women, 165 are coeducational.

"2. Of the 5,563 women reported to the Bureau of Education in 1887-1888 as students in the collegiate courses of these institutions, 4,392 were in the coeducational colleges.

"3. In the twenty states and territories which boast 165 coeducational colleges and 47 colleges for the separate education of women . . . there are but 25 colleges devoted to the exclusive education of men.

"4. Of these 25 institutions not one is non-sectarian and they are all supported by the Roman Catholic, the Protestant Episcopalian, the Lutheran or the Presbyterian denominations. In several of the states most conspicuous for zeal in the cause of higher education as in Michigan, Iowa and Kansas, not one college for the exclusive education of men exists."<sup>6</sup>

Has this state of affairs been brought about without a struggle? Surely not. The history of woman's education tells convincingly of the bitter opposition woman has met at every step in her fight for the right to instruction, everywhere, East and West, North and South of the United States.<sup>7</sup> As far as coeducation is concerned, even after it "has become a fact," says Mary W. Sewal, "the whole question was reopened in a new form by the attempt to exclude women from Adelbert College of the Western Reserve University, which had already been open to women for twelve years." "Every reason which had formerly been urged against the admission of women was now offered for their exclusion." Physical inability and mental inferiority, individual respectability and social conventionality, domestic calamity and moral impropriety, all these were earnestly and solemnly urged against coeducation. But in vain. The force of prevailing conditions was irresistible. The sparse-

<sup>5</sup> Meyer, p. 105.

<sup>6</sup> Meyer, p. 65.

See interesting account in Meyer's "Woman's Work in America."

ness of population and the difficulty in getting "hired help" brought men and women to work together in field, office, shop and household, in church and school. "Thus without intention on the part of either men or women, they become used to working together in many unaccustomed ways; and the idea of going to college together does not seem so unnatural as in older communities, where traditions of old standing have separated men and women in their occupations."<sup>8</sup> Coeducation triumphed. By the nature of things it could not be different. "Among the Clatsops and the Chinooks who live upon fish and roots, which the women are equally expert with the men in procuring, the former have a rank and influence very rarely found among Indians. The women are permitted to speak freely before the men to whom, indeed, they sometimes address themselves in a tone of authority."<sup>9</sup>

The effect of coeducation, in its turn, on the whole woman question, both theoretical and practical, cannot be overestimated. First, although coeducation itself does not indicate that women are mentally equal to men in assimilating, reorganizing or reproducing acquired knowledge, it does prove that women can comprehend the same studies. This at least points out the necessity that the old theory of the feminine mind must be revised. Second, "men who have studied with women in college almost invariably favor their admission to county and state, medical, legal and editorial associations; and thus . . . coeducation prepares society to give women welcome and patronage in business and professional life."<sup>10</sup>

In general, the educational status of woman is very high. One rarely, if ever, hears that women must not be educated because they are women. The most one does hear is that their higher education, for one reason or another, is not profitable, not practical. Elementary education, as a rule, is compulsory for boys and girls alike. According to the last census, the aggregate number under school attendance is 6,668,823 for males between the ages under 5 to 21 years and over; the number for females of the same ages is 6,698,324, the girls leading in numbers between the ages under 5 to 17 years inclusive.

The advance that is being made by women in higher education, in spite of occasional remonstrances, may be seen in the accompanying table taken from the report of the Commissioner of Education for 1902.

This table shows an enormous increase in women students during a very short period. In 1889-90 there were 10,761 women against 44,926 men students, the latter 4.17 times as great as the former. In 1901-1902 the number for women was 29,258 against 78,133 for men, the latter only 2.67 times as great as the former.

<sup>8</sup> Meyer, p. 71.

<sup>9</sup> Spencer, "Principles of Sociology," p. 732.

<sup>10</sup> Meyer, p. 82.

NUMBER OF STUDENTS FOR EACH YEAR FROM 1889-1890 TO 1901-1902.<sup>11</sup>

YEAR.	Universities and Colleges for Men and for Women and for Both Sexes.		Colleges for Women.	Schools of Technology.		Total Number.	
	Men.	Women.		Men.	Women.	Men.	Women.
1889-90 .....	38,056	8,075	1,979	6,870	707	44,926	10,761
1890-91 .....	40,089	9,439	2,265	6,131	481	46,220	12,185
1891-92 .....	45,032	10,390	2,636	6,131	481	51,163	13,507
1892-93 .....	46,689	11,489	3,198	8,616	843	55,305	15,530
1893-94 .....	50,297	13,144	3,578	9,517	1,376	59,814	18,098
1894-95 .....	52,586	14,298	3,667	9,467	1,106	62,053	19,071
1895-96 .....	56,556	16,746	3,910	8,587	1,065	65,143	21,721
1896-97 .....	55,755	16,536	3,913	8,907	1,094	64,662	21,543
1897-98 .....	58,407	17,765	4,416	8,611	1,289	67,018	23,470
1898-99 .....	58,467	18,948	4,593	9,038	1,339	67,505	24,880
1899-1900 .....	61,812	20,452	4,872	10,347	1,440	72,159	26,764
1900-1901 .....	66,069	21,468	5,260	10,403	1,151	75,472	27,879
1901-1902 .....	66,325	22,507	5,549	11,808	1,202	78,133	29,258

Reports received at the Bureau for the scholastic year ending June, 1903, show that 4,917 educational institutions of various grades had 240,697 students pursuing commercial or business studies, 134,967 men, 105,730 women.

## THE PROFESSIONS.

*Teaching.*

In his report for 1900 the Commissioner of Education states that in the past ten<sup>12</sup> years women students increased by 148.7 per cent., while men students increased by 60.6 per cent. This large increase would have remained an enigma if we could not explain it by the growing number of women engaged in professional work,<sup>13</sup> as shown in the following table:

STATE OR TERRITORY.	Whole Number of Different Teachers Employed.		Percentage of Male Teachers.				
	Male.	Female.	1870-1.	1879-80.	1889-90.	1899-1900.	1901-2.
United States .....	122,392	317,204	41.0	42.0	34.5	29.9	27.8
North Atlantic Division	18,069	90,003	26.2	28.8	20.0	18.4	16.7
South Atlantic Division	19,567	31,818	63.8	62.5	49.1	40.7	38.1
South Central Division.	30,652	34,848	67.5	67.2	57.5	47.4	46.8
North Central Division.	48,152	139,691	43.2	41.7	32.4	28.3	25.6
Western Division .....	5,952	20,844	45.0	40.3	31.1	24.7	22.2

<sup>11</sup> Report of the Commissioner of Education for 1902, Vol. II, p. 1349; *Ibid.*, p. 2003.

<sup>12</sup> 1889-90 to 1899-1900.

<sup>13</sup> Report of the Commissioner of Education for 1902, Vol. I, p. lxxx.



There are 194,812 women teachers more than men teachers in the public schools. And if salaries are a measure of efficiency, it seems that the women keep very near the masculine standard; the average monthly salaries being \$49.05 for men and \$39.77 for women. The 122,392 men teachers would surely object if we were to state that only the less efficient men are teaching. Besides, when we remember the fact that "in the law of 1789 the expression master and mistress makes recognition of women as teachers for the first time," we must admit that woman's progress in this profession was as rapid as it was great.

### *Medicine.*

"The first empirical physicians," says Professor Mason, "were not the sorcerers, but the herb women. They gathered the first *materia medica*."<sup>14</sup> "Shiphra and Puah," of the Bible, had numerous followers too. But with the development of medicine as a learned profession and woman's exclusion from all learning, the profession was completely monopolized by men. The difficulties which women encountered in partly wresting it from the monopolists we cannot here recount."<sup>15</sup> Suffice it to note that "when, in 1872, the London University, after a two years' bitter controversy, declared women eligible to its degrees, the journals were flooded with letters from indignant physicians who declared that by this action their own diplomas previously obtained had been lowered in value, their contracts violated and their most sacred property rights invaded."<sup>16</sup> In the United States it took Elizabeth Blackwell to apply to twelve medical schools of which only one, in Geneva, N. Y., admitted her. This was in 1845. Five years later Harvard refused to admit a Harriet K. Hunt because of the students' protests on the ground "that whenever a woman should prove herself capable of an intellectual achievement, this latter would cease to constitute an honor for the men who had previously prized it."<sup>17</sup> But in 1892-93 there were 1,302 women enrolled in the medical schools of the United States. There were seven medical schools for women only; 3,000 women had been licensed and 4,555 women were physicians and surgeons at practice.<sup>18</sup>

The number of women students, however, has decreased rather than increased since 1892, and when the present number is compared with that of men students it is small. There are only 1,177 women studying medicine against 25,644 men, the actual decrease as compared with the number given for 1892 being 125.

Among the various conditions that suggest themselves as causes of the decrease, the most effective one is undoubtedly the ever-increasing expenses involved in the training for the medical profession. The methods of teaching medicine in the United States have been greatly improved within recent years, and with the improvement has been introduced a rise in the cost of

<sup>14</sup> Otis Mason, "Woman's Share in Primitive Culture," p. 278.

<sup>15</sup> See interesting chapter by Dr. M. P. Jacobi in Meyer's "Woman's Work in America."

<sup>16</sup> Meyer, pp. 148-149, note.

<sup>17</sup> Meyer, p. 148.

<sup>18</sup> Report of Commissioner of Education for 1894-5, pp. 949-950.

tuition, instruments, etc. In certain institutions the tuition fee alone amounts to \$200 or \$250 per year. This fact may, of course, not discourage a young man bent upon entering the profession. If parents are at all able to give their son a professional education, a few hundred dollars more or less spent during the college course is perhaps of little consequence. The case is quite different with regard to a daughter's professional equipment, probably because it may not exempt her father from giving her a "goodly" dowry, after all; while the son runs the chances of getting a "respectable" sum. If, on the other hand, a young man undertakes to study medicine with little or no assistance from his parents, he can get it in the form of scholarships, fellowships, etc. A young woman does not have the same or similar opportunities. Society has not yet made the same provisions for the medical education of women as for men. Another condition which affects directly and unfavorably woman as a practitioner is the development of the "dispensary," extending medical help gratis to those classes of the community which would most likely engage the services of a woman, if for no other reason, simply because she might not demand from them as high a price for her service as a man does.

The combined effect of comparatively small expenses during the years of training and the prospect of practicing later among the more wealthy classes or in institutions, has evidently led to woman's resorting to nursing as a profession. According to the last report of the Commissioner of Education there were, in 1902, 11,876 women nurse pupils and only 1,376 men pupils. Pharmacy and dentistry, too, have their female votaries in modest numbers, 162 for the latter and 218 for the former.

#### *Law.*

The legal profession seems to have special difficulties for women. The number of students does not increase rapidly.

There are three important facts to be noted: 1. The majority of law schools freely admit women. 2. Women lawyers are entitled to practice before all courts, state and national, "the same as men." When not admitted under existing statutes the respective legislatures, so far, with but two exceptions, have promptly passed enabling acts."<sup>19</sup> 3. Women lawyers are endeavoring to ameliorate unfavorable conditions. The "Women's International Bar Association," for instance, has for its objects: (1) To open law schools for women; (2) to remove all disabilities to admission of women to the bar and to secure their eligibility to the bench; (3) to disseminate knowledge concerning women's legal status; (4) to secure better legal conditions for women."<sup>20</sup>

#### *Theology.*

The Universalist Church was the first, in 1860, to open the doors of its theological schools for the training of women for the ministry, and "by its established forms ordain them to its full fellowship." Its register for 1889

<sup>19</sup> Meyer, p. 235.

<sup>20</sup> Com. Report for 1904-5, p. 957.

contains 35 women ministers. The Unitarian Church has a number of preachers, some of them regular graduates, others simply acting as "helpmeets" to their husbands. The Quakers regularly admit women as preachers. "The Presbyterians, by a vote of 93 to 24, decided in 1889 that the ordination of a woman as deacon is in harmony with the New Testament and the Constitution of the Apostolic Church." In 1893-94 there were 10 students in colleges of the Congregational denominations; 6 in Baptist colleges and 4 in a Universalist college.<sup>21</sup> The number of women in schools of theology for 1902 was 108.<sup>22</sup>

STATES OR TERRITORIES.	Students.
North Atlantic Division .....	40
South Atlantic Division .....	2
South Central Division .....	6
North Central Division .....	47
Western Division .....	13
Total .....	108

Fewer women have entered theology than the medical or the legal profession. This may possibly be explained by the fact that the ministry has not increased in popularity so rapidly as the other professions have, even for men.

<sup>21</sup> Report for 1894-5, p. 959.

<sup>22</sup> Report for 1902.



## BOOK DEPARTMENT

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### NOTES.

**A. L. A. Catalogue.** 8000 volumes, for a popular library, with notes. Library of Congress. Pp. 889. Washington: Government Printing Office, 1904.

**Anderson, Frank M.** *The Constitutions and Other Select Documents Illustrative of the History of France, 1789-1901.* Pp. xxvi, 671. Price, \$2.00. Minneapolis: The H. W. Wilson Company, 1904.

This volume is designed primarily to meet the needs of college students engaged in the study of modern French history. It is a convenient collection, some two hundred and eighty public documents, translated, topically arranged and accompanied by brief explanatory notes and bibliographical references. The collection ends with the Waldeck-Rousseau Associations law of 1901.

**Batt, Rev. John H.** *Dr. Barnardo: The Foster Father of "Nobody's Children."* With an appreciation by the Duke of Argyll. Pp. xii, 196. London: S. W. Partridge & Co., 1904.

An extremely unsatisfactory account of the founder and conductor of one of the most important charities for children in the world.

**Béchaux, A.** *La Réglementation du Travail.* Pp. iv, 203. Price, 2 fr. Paris: Librairie Victor Lecoffre, 1904.

A timely and interesting addition to the library of social economy. Attention is called to the importance of the subject, and the widely divergent opinions of socialist and individualist with a plea for careful and methodical investigation of local difficulties.

**Blondel, Georges.** *La Politique Protectioniste en Angleterre.* Pp. xv, 161. Price, 2 fr. Paris: Victor Lecoffre, 1904.

The author sees in Mr. Chamberlain's appeal to the English pride of race the question as to whether or not England shall adopt a new economic régime, already answered in the affirmative, and France, shut out of her most important market by a customs barrier, becoming more and more a decadent nation. The object of the writer is to arouse France to her possibilities of taking rank among the foremost commercial nations; the volume is hurriedly written and presents little new material.

**Bourguin, Maurice.** *Les Systèmes Socialistes et l'Evolution Economique.* Pp. x, 549. Price, 10 fr. Paris: Librairie Armand Colin, 1904.

The purpose of this work is to show the relation of socialism to economic evolution. It is aptly divided into two parts, the first of which is given over to theoretical socialism and to a discussion of systems of socialism. In the second part the author presents a large number of phenomena occurring in the course of economic evolution, upon which he bases argument leading to the conclusion that no single radical system, whether individualism, col-

lectivism or general co-operation, can be imposed upon an organism so complex as present society. After a discussion of proposed changes, the author next turns to the presentation of a large number of facts pointing out the growth of trade-unionism, the formation of industrial coalitions, the extension of the rôle of the municipality and the development and evolution of like phenomena in the economic world. Co-operation will become more and more a distinctive element in the development of socialistic tendencies, but individual liberty will not be forfeited. The society of the future will be more largely democratic than ours, because it is inevitable that democracy in the political field will lead to democracy in the economic order. While the work is to be praised most for its easy-flowing style, M. Bourguin has clearly made a sufficient addition to the discussion of socialism to cause his work to receive considerable attention even in foreign countries.

**Brandenburg, Broughton.** *"Imported Americans."* Pp. xi, 303. Price, \$1.50 net. New York: F. A. Stokes Company, 1904.

The most interesting and important study yet made of present-day immigration into the United States. The author, a newspaper correspondent, with his wife, lived for a time in the Italian quarter of New York. Thence they go in the steerage to Italy, and make a study of the districts from which emigration is most pronounced. For some time they live in the family of a Sicilian peasant, whose sons have been some years in America, as had the father himself. Then with a group of Sicilians Mr. and Mrs. Brandenburg return in the guise of immigrants, observing the snares laid for the credulous incomer, whose great fear is that he may be kept out of America, suffering the ill treatment meted out to steerage passengers on board ship, and learning how the laws of this country are constantly evaded. No one can fail to enjoy this account, and no student can fail to see that our laws are anything but satisfactory at present. Mr. Brandenburg constantly emphasizes the need of the registration and inspection of would-be immigrants in their home communities, believing that this would be no more expensive than the present plan, and vastly kindlier than to turn so many back at the end of a long journey. At present many excellent families are restrained from leaving their homes by the fear that they may be refused entrance and thus suffer heavy loss. It is possible to stop the dumping on our shores of the degenerate and diseased, but not by existing methods. Mr. Brandenburg thinks that most of the Italians are desirable additions to our population. We gain nothing by an educational test for ability to read and write, Italian is as likely to hinder the process of Americanization as to help it. The revelations made of the debasement of our naturalization papers furnish food for thought. The author has nothing but good words for Ellis Island. The account is supplemented by many illustrations from photographs taken on the trip and the book is attractively bound.

**Carter, A. Cecil.** *The Kingdom of Siam.* Pp. 280. Price, \$2.00. New York: G. P. Putnam's Sons, 1904.

This volume, prepared by native Siamese in connection with the commission to the St. Louis Exposition, contains much valuable information about a

little-known land. The various chapters are of unequal value, and the style will not interest the general reader. There are many illustrations, chiefly, however, of temples and public buildings. The people are relatively neglected, though the chapter on agriculture is perhaps the best in the book.

**Carver, T. N.** *The Distribution of Wealth.* Pp. xvi, 290. Price, 1.50. New York: The Macmillan Company, 1904.

Reserved for later notice.

**Chancellor, W. E., and Hewes, E. W.** *The United States: A History of Three Centuries, 1607-1904.* Volume I. Pp. xxiii, 533. Price, \$3.75. New York: G. P. Putnam's Sons, 1904.

Reserved for later notice.

**Clark, J. B.** *The Problem of Monopoly.* A Study of a Grave Danger and of the Natural Mode of Averting it. Pp. viii, 128. Price, \$1.25. New York: The Macmillan Company for Columbia University Press, 1904.

We are not accustomed to thinking of the author of "The Distribution of Wealth" as a popular lecturer and *a priori* many of his admirers may not regard this attempt to popularize an abstract economic theory with hopeful anticipation. But those who read these lectures, which were recently delivered in Cooper Union, will have no questionings. Some of the fruits of years of close study in the innermost recesses of economic life are here presented in admirable fashion in lucid, cogent argument. This little volume abundantly confirms Huxley's observation that luminous exposition can result only from diligent study on the part of a perspicuous thinker. Professor Clark gives us a close analysis of an intricate problem, most of its perplexing phases succinctly set forth and accounted for, and modes of treatment suggested that command not only attention, but, for the most part, approval. The one great objective Professor Clark holds is to preserve that which makes for efficiency in production, reduces costs and increases economic product, and thus enhances social well-being and at the same time insures public control of the conditions that produce monopoly. The growth of trusts, so-called, and of all-powerful corporations, have no special terrors if we can keep down monopoly and prevent their "predatory" competition, whereby normal competition is ruthlessly crushed and the public put in subjection to the barons of industry and trade. In a rapid narration he exhibits the most significant developments on the modern growth of monopoly under six titles: (1) "The Growth of Corporations," (2) "The Sources of the Corporation's Power for Evil," (3) "Great Corporations and the Law," (4) "Organized Labor and Monopoly," (5) "Agriculture and Monopolies" and (6) "Governmental Monopolies." The public will probably be most interested in the third, wherein the modes of exerting public or legal control are suggested. His proposals are not novel nor initiatory; the most of them, indeed, we have heard often, but the reasons therefor, their nature and the conditions of their applications and the results that may be expected have seldom or never before been so clearly set forth.

**Conant, C. A.** *Wall Street and the Country.* Pp. ix, 247. Price, \$1.25. New York: G. P. Putnam's Sons, 1904.

Reserved for later notice.



**Curtis, Francis.** *The Republican Party.* Volume I. Pp. xxi, 532. Volume II, Pp. 566. Price, \$6.00. New York: G. P. Putnam's Sons, 1904.

This work should command serious attention. The very fact that it is honored by a foreword over the name of President Roosevelt, and that introductory notes covering a number of pages were written by Senator William P. Frye and Speaker J. G. Cannon, at once arouses an interest. By copious extracts from government documents, party platforms and newspaper files, the author shows first that the Republican party owes its origin neither to enthusiasts nor to a single movement. The party has been consistent throughout its career, and to-day stands "for the three great policies for which it stood at its birth," liberty, honor and progress. The celebration of its semi-centennial finds the country in a flood of prosperity. The Republican party "has seen to it that the wage money has been paid in dollars of full value equal in every case to one hundred cents." All these elements go to make the book intensely interesting. Mr. Curtis gives to the Republican party the entire credit for our present prosperity, but fails, except in rare instances, to more than mention policies or acts which were detrimental to the general welfare. For freeing four million slaves and conducting a successful war for the preservation of the Union, for the success of the Spanish War, and for the whole attitude of our country toward Cuba the Republican party alone is given the credit, all of which is manifestly unfair and inexact. There is no mention made of the Star Route frauds; the Tilden-Hayes episode is glossed over smoothly; the reduction of federal appointees under the Civil Service rule in the McKinley administration is passed by unnoticed; nor are these all the instances that might be cited. But in spite of the fact that the author is neither exact nor entirely conservative in all his statements, the work as a whole must command lasting respect.

**Darwin, Leonard.** *Municipal Trade.* Pp. xxiv, 464. Price, \$3.50. New York: E. P. Dutton Company.

Major Leonard Darwin has given his work the following sub-title: "The Advantages and Disadvantages Resulting from the Substitution of Representative Bodies for Private Proprietors in the Management of Industrial Undertakings." The book gives evidence that the disadvantages of public management have impressed themselves more strongly on Major Darwin's mind than the advantages. The impression which the author leaves on the mind of the reader is that he has undertaken an arraignment of the extension of municipal activities. The case against the municipal management of gas works, water works and street railways is more thoroughly presented than in any previous publication. The most valuable portion of the book is to be found in the author's discussion of the relative rate of improvement of service under municipal and private management. Evidence to prove the readiness with which private companies undertake improvements on a large scale is compared with the slow action of municipal authorities. As he aptly puts it: "Local authorities might reasonably hesitate to act like the New York Metropolitan Railway, which scrap-heaped a good cable plant worth over a million sterling, because it stood in the way of electrical progress." He clearly sees that the delay of English municipalities in improving the street railway service, espe-

cially the reluctance to introduce electricity as a motor power, reacted unfavorably on the social condition of the working classes in the larger cities of Great Britain. Although the work of Major Darwin is not convincing it will furnish much valuable information to the student of municipal government.

**Davidson, Thomas.** *The Education of the Wage-Earners.* Pp. ix, 247. Price, 75 cents. Boston: Ginn & Co., 1904.

An interesting and suggestive account of a learned man, who sought to give the best he had to aid his fellows. This little posthumous volume describes Mr. Davidson's activities on the East Side of New York, and gives stimulating glimpses not only of a wise educational program, but also of the charming relationships existing between the teacher and his pupils. Such a book strengthens one's faith in human nature, and in the possibility of larger social developments than most of us seek to realize.

**Dawson, T. C.** *The South American Republics.* Part II. Pp. xiv, 513. Price, \$1.35. New York: G. P. Putnam's Sons, 1904.

Reserved for later notice.

**De Bray, A. T.** *La Belgique et le Marché Asiatique.* Pp. xii, 385. Brussels: Polleunis and Ceuterick.

This book is a study in commerce and commercial policy. After a survey of the world as an outlet for the products of Belgian industries, the author concludes that Asia is the most promising field. The sixteen political divisions of that continent are then categorically taken up, their industries, economic condition and commercial policy are described, and the future is considered with especial reference to the Belgian trade.

**Devine, E. T.** *The Principles of Relief.* Pp. 495. Price, \$2.00. New York: The Macmillan Company, 1904.

See "Book Reviews."

**Dexter, E. G.** *A History of Education in the United States.* Pp. xxi, 656. Price, \$2.00. New York: The Macmillan Company, 1904.

This book is the first noteworthy attempt to present in a single volume an historical survey of the development of American education from the earliest beginnings to the present time. To compress so much in the one volume is a task of no small magnitude, and to say that Professor Dexter has done this with excellent judgment and discrimination is only to give due praise. From the very necessities of the case his narrative at times suffers so much from compression that its value to the student is doubtful. This is particularly true of the sketches of the development of the common schools in the several states of the Union. The average length of these sketches is but little more than a page. The main body of the work is divided into three parts, the first of which deals principally with the beginnings and early development of the "people's schools" in the colonies and in the older states of the South and West. Of greater present value, perhaps, is Part II, which treats of higher and special education. Under this head Professor Dexter describes the growth of the more important colleges and traces the history of professional and commercial education. He also discusses the education of the

negro, the Indian, the defective classes, the education of women and the preparation of teachers. Part III, dealing with educational extension, is unique and interesting. Here he deals with such agencies as libraries, periodicals, summer schools, evening and correspondence schools, learned societies, etc. It is no detraction from the character of the text to say that the most valuable feature of the work is the elaborate bibliography at the end of each chapter and the marginal references which are to be found on every page. This will be invaluable to future students who may undertake to write a more comprehensive history than he himself has done.

**Dunbar, C. F.** *Economic Essays*. Edited by O. M. W. Sprague. Pp. xviii, 372. Price, \$2.50. New York: The Macmillan Company, 1904.  
Reserved for later notice.

**Dyer, Louis.** *Machiavelli and the Modern State*. Pp. xx, 163. Boston: Ginn & Co., 1904.

The volume is made up of three chapters, originally delivered as lectures in England in 1899, under the titles "The Prince and Cæsar Borgia," "Machiavelli's Use of History," "Machiavelli's Idea of Morals." The author was formerly an assistant professor at Harvard.

**Franklin, C. K.** *The Socialization of Humanity*. Pp. xi, 481. Price, \$2.00. Chicago: C. H. Kerr & Co., 1904.  
Reserved for later notice.

**Friedenwald, Herbert.** *The Declaration of Independence*. Pp. xii, 299. Price, \$2.00. New York: The Macmillan Company, 1904.  
See "Book Reviews."

**Ghent, W. J.** *Mass and Class*. Pp. x, 260. Price, \$1.25. New York: The Macmillan Company, 1904.

All who read the brilliant arraignment of modern society, published by Mr. Ghent in 1902 under the title "Our Benevolent Feudalism," will be interested in the present volume. Mr. Ghent emphasizes the part class struggle has played in American development. There are, he says, six classes directly concerned in production and distribution of wealth: (1) The Wage-earning Producers, (2) Self-employing Producers, (3) Social Servants (Educators, etc.), (4) The Traders (Manufacturers and Dealers, Financiers), (5) Idle Capitalists, (6) Retainers (Lawyers, Clerks, Politicians, etc.). In a stimulating and suggestive way he discusses class ethics in general, and those of these classes. The individualistic ethics of the trading class are anti-social, and sooner or later the great producing classes will assert their supremacy.

**Goodnow, F. J.** *City Government in the United States*. Pp. x, 315. Price, \$1.25. New York: The Century Company, 1904.  
Reserved for later notice.

**Hall, W. E.** *A Treatise on International Law*. Fifth Edition. Edited by J. B. Atlay, Oxford. Pp. xxi, 764. London: Clarendon Press, 1904.

In spite of the large number of treatises on international law published during the last ten years, Professor Hall's work has maintained its authority



unimpaired. Under the able direction of Mr. Atlay a fifth edition has been issued in which the precedents cited in previous editions have been enriched by the addition of the more recent experience in international relations. No other writer on international law, with the possible exception of Wheaton, has rivaled Professor Hall in the orderly arrangement of material and the clear and definite formulation of conclusions. He easily leads the English commentators in this field of jurisprudence. Even in matters affecting fundamental questions of British policy, he displays an exceptional ability to free himself from local and even national prejudices. The most valuable features of the present edition are the insertion of the international questions incident to the Chinese-Japanese War, the Venezuelan boundary dispute, The Hague Conference, the Spanish War and the South African War. The editor has shown great ability in eliminating those portions of the original edition that have been superseded by reason of new treaty stipulations. He has made the work a clear exposition of the present status of international law.

**Halpern, Georg.** *Die Jüdischen Arbeiter in London.* Pp. viii, 84. Price, 1.50 M. Stuttgart: J. G. Cotta.

In a brief compass this work contains an excellent résumé of the condition of Jews in Russia, the immigration into London and the various problems, housing, sweat shops, etc. The situation in London is far better than that in Russia, because of the possibility of education and training of the children.

**Harris, N. Dwight.** *The History of Negro Servitude in Illinois.* Pp. xi, 276. Price, \$1.50. Chicago: A. C. McClurg, 1904.

In this volume Professor Harris describes the development of slavery and tells the story of the abolition movement. The data have been gotten from original records, in large measure supplemented by verbal testimony of many who took part in the later phases of the contest. The book is an important contribution, not merely to Illinois history, but makes available new material for that great history of the negro in America which will some day be written.

**Hauriou, M. Gaston, Jeze et Charles Rabanay.** *L'Année Administrative,* 1903. Pp. iv, 664. Price, 10 fr. Paris: Giard & Brière, 1904.

The plan of this annual is not a new one to French works on administrative subjects. While setting for itself the general task of giving a complete exposition of the year's events, decisions and discussions with reference to French administration, the work addresses itself particularly to those who either in a public or a private capacity have occasion to make practical application of the information which it is to give. The high character of the work already performed by the two editors, as well as the first number of the review itself, indicates that the work will be well done.

**Hay, John, and Root, Elihu.** *The Republican Party.* Pp. 57. Privately printed. New York: 1904.

**Herrick, C. A.** *Meaning and Practice of Commercial Education.* Pp. xv, 378. Price, \$1.25. New York: The Macmillan Company, 1904.  
Reserved for later notice.

**Hosmer, Dr. James K.** (Editor). *Gass's Journal of the Lewis and Clark Expedition*. Pp. liii, 298. Price, \$3.50, net. Chicago: A. C. McClurg & Co., 1904.

Students of American history are under obligation to the publishers for this excellent reprint of the original edition of 1811. Dr. Hosmer pays many compliments to Patrick Gass in his introduction. The volume is uniform in style with other volumes of McClurg's "Americana," with reproductions of the original illustrations. There are few more noteworthy expeditions in our history than that of Lewis and Clark, and the story of the last survivor of the party is full of interest, supplementing, as it does, the official journal of the expedition.

**Hunt, Agnes.** *The Provincial Committees of Safety of the American Revolution*. Pp. 180. Cleveland: Western Reserve University, 1904.

Reserved for later notice.

**Hunter, Robert.** *Poverty*. Pp. ix, 382. Price, \$1.50. New York: The Macmillan Company, 1904.

Reserved for later notice.

**Johnson, Sidona V.** *A Short History of Oregon*. Pp. 329. Price, \$1.00. Chicago: A. C. McClurg & Co., 1904.

A short but comprehensive account of the state from the earliest discoveries to 1904. History shows that the decision that Oregon was worth saving was wise, and this succinct account of that wonderful region will interest many who only know of it in a general way. There are numerous half tones of prominent men and natural scenery.

**Kellor, Frances.** *Out of Work*. Pp. ix, 292. Price, \$1.25. New York: G. P. Putnam's Sons, 1904.

Miss Kellor is widely and favorably known as a student of social and economic conditions. This volume will increase her reputation. The subject is extremely important and the work is well done. The title is open to criticism for employment agencies form the subject matter. Naturally offices for supplying domestic help receive most lengthy treatment. Miss Kellor and her assistants got this information by going to the offices now in the rôle of an employer, now as a servant, in a number of the largest cities of the country. The need of greater regulation of such agencies is obvious from the evidence presented, although there are many high-grade offices; while there are indications that a certain percentage of householders are not fit to have servants. Employment agencies for men, teachers' exchanges, free employment agencies are also discussed, and the last chapter is devoted to state and municipal laws. This volume should command the attention of housekeepers and employers generally, as well as students, for it indicates that the reign of graft is not confined to political positions, and the corrupting influences of many agencies are clearly set forth. It is a pleasure to note that not only is Miss Kellor continuing her investigations, but that in several cities organizations are being started to try to meet the needs already made evident.

**King, Irving.** *The Psychology of Child Development.* Pp. xxi, 265. Price, \$1.00. Chicago: University Press.

It is now generally recognized that social problems are solved only by the help of related sciences. One of these is psychology and new books in this field should not be overlooked. Mr. Irving King, formerly a fellow at the University of Chicago and a student under Professor Dewey, has published a book on "The Psychology of Child Development." It represents the viewpoint of Professor Dewey, who writes an approving preface. The main thought of the book is that the *complete setting* of an act must be known before one can say what it means. This demands a thorough study of the basis of child development and of social as well as psychic principles. The book deserves study. It is a careful, sane statement of the newer psychology as developed by the school of thinkers centered at Chicago.

**Lavisse.** *Histoire de France.* Tome VI, 1, par Jean H. Mariéjol. Pp. 429. Price, 6 fr. Paris: Hachette et Cie., 1904.

Volume VI, Part I, of *Lavisse's Histoire de France* includes the years 1559-1598, and treats of *La Réforme et la Ligue* and *l'Edit de Nantes*. The author tells the intricate story with skill, and by giving an unusual number of individual traits, makes the more important personages very real. His account of the policy of Catherine de Medicis is especially interesting. Because of the infinite detail necessary to the political history, less attention is given to the life of the people than in some of the preceding volumes. It is to be hoped that the second part will devote more space to the progress of the nation.

**Lawson, Jesse (Editor).** *How to Solve the Race Problem.* Pp. 286. Price, \$1.00. Washington, D. C.: R. Beresford, 1904.

This volume is the report of the proceedings of the Washington Conference on the Race Problem in the United States, which was held in November, 1903. Among the principal papers are those of Bishop L. H. Holsey, of Atlanta, "Race Segregation"; Rev. A. D. Mayo, of Boston, "The Duty of the White American towards His Fellow Colored Citizen"; Rev. D. R. Babbitt, of Brooklyn, "The Psychology of Race Prejudice"; Rev. A. S. Crapsey, of Rochester, "The Duty of the White Man of the North to the Black Man of the South." The paper by Mr. Mayo is unusually good; the others offer no contribution to the title of the volume, and might well be headed "How to Increase Race Prejudice." The conference seems to have been under the control of those who believe that the chief aim of the negro just now should be to retain the suffrage, by force, if necessary. We are in much more accord with the arguments presented for national aid to southern education and for a commission to study the negro people. The volume contains portraits of a number of participants in the conference.

**Macy, Jesse.** *Party Organization and Machinery.* Pp. xviii, 299. Price, \$1.25. New York: The Century Company, 1904.

Reserved for later notice.

**McDermott, E. R.** *Railways.* Pp. vii, 197. Price, 2s. 6d. London: Methuen & Co., 1904.

In the series of twelve "Books on Business," Methuen & Co. have included



a volume on "Railways." With the exception of an unsatisfactory "Historical Sketch," the book is well written, and the material presented is well selected. The purpose of this and other volumes in the series is to present briefly and in a non-technical style the salient features of the industry discussed. The present volume deals with the "Railways and the Public," "Railway Administration," "Railways as Investments" and the "Future of Railways." The legislation on the regulation of railways is well summarized. The powers of the Board of Trade are given, and the history of the railway clearing house, and its organization and activities are clearly presented. The discussion of railway investment and the future of railways is too brief to be as valuable as might be wished. The author, who is "Joint editor of the *Railway News* and city editor of the *Daily News*," has shown good judgment in the selection of material.

**McKinley, Wm.** *The Tariff.* A review of the tariff legislation of the United States from 1812 to 1896. Pp 266. Price, \$1.75. New York and London: G. P. Putnam's Sons, 1904.

The publishers of the "Writings of Henry Clay" secured the services of William McKinley for the preparation of an essay on the "Tariff in the Days of Henry Clay and Since." The essay, which has now been reprinted under separate cover, was a volume in length, and discussed with some detail the main phases of the history of the tariff from 1824 to 1894. The period previous to 1861 was but briefly covered. The essay was written in 1896, when Mr. McKinley was Governor of Ohio, and while the information he had gained as chairman of the Ways and Means Committee was still fresh in mind. Naturally the legislative and political aspects of the tariff are the ones to which most attention is given. The author recognizes his difficulty of dealing with the subject in a non-partisan way, but states, "It has been my honest endeavor to do justice to all directly participating in the events narrated. It has been my aim to present as completely as possible a review of proposed tariff legislation since the close of the Civil War to the present time, as well as a sketch of the measures actually enacted, to the end that the student may observe the trend and purpose of the leading political parties in respect to this economic question." The essay was intended for general readers and its merits fully justify its being put into book form.

**McVey, F. L.** *Modern Industrialism.* Pp. xvi, 300. Price, \$1.50. New York: D. Appleton & Co., 1904.

Reserved for later notice.

**Miltoun Francis** (Editor). *Ships and Shipping.* A hand-book of popular nautical information, with numerous diagrams, plans and illustrations. Pp. xiii, 366. Price, 5s. London: Alexander Moring, Ltd.

Students of commerce and shipping will find Miltoun's "Ships and Shipping" a useful little compendium of well-selected information. The facts presented cover technical nautical matters, an account of the merchant service, a brief statement regarding ship canals, Lloyd's Association, fleets of the principal steamship companies and many other similar topics. The brief gazetteer of ports and of important shipping events is especially to be commended. The volume will be revised and published annually.

**Ober, Frederic A.** *Our West Indian Neighbors.* With map. Pp. 433. Price, \$2.50, net. New York: James Pott & Co., 1904.

Perhaps no man in the United States has had a longer or more extensive acquaintance with the West Indies than Mr. Ober. Many quaint and little known facts are recorded, but the total result is very unsatisfactory. The account is rambling and superficial, much space being devoted to things of no importance, while the reader is constantly reminded that the author was the first to do this or that. Calendered paper is used in the book and there are over fifty excellent illustrations.

**Robinson, Chalfant.** *A History of Two Reciprocity Treaties.* Pp. 220. New Haven: Tuttle, Morehouse & Taylor, 1904.

This book is made up of three essays, which are given over in the main to a compilation of historical facts regarding the Treaty of 1854 with Canada, the Treaty of 1876 with Hawaii and the treaty-making power of the House of Representatives. The author is careful to point out that the causes leading to the Canadian Treaty were political rather than commercial, and its abrogation due in the main to the popular feeling against the Canadians for the part which they took in the Civil War. The Hawaiian Treaty is ascribed to the fear on the part of the United States that Great Britain might gain foothold in the Sandwich group.

**Russell, Israel Cook.** *North America.* Pp. x, 435. Price, \$2.50, net. New York: D. Appleton & Co., 1904.

Professor Russell's volume on "North America" deals almost entirely with the physiography, biogeography and geology of North America. There is only one chapter, and that a brief one, on political geography, and there is scarcely any account whatever of economic geography. This limitation of the work is not the fault of the author. As planned by him, it was to include "First, a discussion of the natural conditions or physical geography, and, second, man's dependence on and use of the natural resources or economic geography." It is to be regretted that the author was unable to carry out his plan. The editor and the publishers ought to have arranged for two volumes instead of one for "North America." Possibly they may decide to supplement the present volume by a second one dealing with the political and economic geography of North America. Professor Russell maintains in this book his well-known reputation for scholarly and careful work. The subjects covered by the book are well presented, and the volume will be welcomed by all serious students of American geography. The four volumes of the "World Series" that have thus far appeared are of such merit that the remaining eight or more volumes will be welcomed by all students of geography. The books will be of service not only to the relatively limited number of persons who are interested in geography *per se*, but also to those who desire a knowledge of geography as auxiliary to a better understanding of the political and social sciences.

**Scherer, J. A. B.** *Japan of To-day.* Second Edition. Pp. 323. Price, \$1.50, net. Philadelphia: J. B. Lippincott Company, 1904.

The author was for a number of years a teacher in Japan, and he gives us

interesting and readable sketches of the life he saw about him. The book is marred by attempts at fine writing and by bits of pious cant, but the author is happy in his descriptions and the book will be enjoyed. The illustrations, twenty-eight in number, of which two are colored, deserve special mention.

**Schmoller, Gustav.** *Jahrbuch für Gesetzgebung, Verwaltung u. Volkswirtschaft im Deutschen Reich.* Volume I. Pp. 448. Leipzig: Duncker & Humblot, 1904.

With this number the Yearbook begins its twenty-eighth year. To American readers the monograph of 128 pages by L. Glier, of Barmen, on "The Latest Development of the American Iron Industry," will be of greatest interest. Among other important articles are "The Foreign Trade Relations of Austria-Hungary" and "Oran, North Africa's Most Important Trade Center."

**Shaler, N. S.** *The Neighbor.* Pp. x, 342. Price, \$1.40. Boston: Houghton, Mifflin & Co., 1904.

The central point in the volume is the origin and nature of race hatreds, with especial attention to the Hebrew and the African. Aside from the skillful analysis of ethnic motives in general, the most valuable part of the book is the discussion of the negro problem. The author believes, in spite of his good qualities, that the negro should be taken out of politics for a time to bring about a truce to race hatred. "Any attempt to force an adjustment will be likely to result in something like race war." The author's general conclusion in regard to race hatred is that while this motive may, in certain social states, serve a very useful purpose, among civilized peoples "this motive may well be compared with the appendix of the cæcum, a remnant of a primitive estate which is altogether evil, for it breeds disease."

**Shambaugh, B. F. (Editor).** *The Messages and Proclamations of the Governors of Iowa.* Volume VI. Pp. x, 429. Iowa City: State Historical Society.

This volume contains the messages and proclamations of Governor Larrabee and Governor Horace Boies, 1886-1894, two of the most interesting and important Governors of the state. As in earlier volumes, biographical sketches are given of the Governors.

**Siebert, Wilbur H.** *The Government of Ohio.* Pp. xvi, 309. Price, 75 cents. New York: The Macmillan Company, 1904.

A welcome addition to the excellent series of hand-books of American government designed for school use.

**Smith, Adam.** *An Inquiry into the Nature and Causes of the Wealth of Nations.* Edited by Edwin Cannan. Two Volumes. Pp. xlviii, 462; vii, 506. Price, \$6.00. New York: G. P. Putnam's Sons, 1904.

This annotated edition of Adam Smith by Professor Cannan, of the University of London, will henceforth be the standard. Availing himself of all sources of information the author follows the fifth edition, the last published before Smith's death, and traces all changes through the various editions and presenting the text so accurately that even its misprints are included. Smith's sources of information are stated wherever ascertainable and the degree of



accuracy of the quotation indicated. It is hard to see how the editor's work could be improved save by the discovery of new sources of knowledge. In the introductory chapter Smith's indebtedness to Hume, Mandeville, the Physiocrats and others is discussed. Students of history and political economy will welcome such a scholarly presentation of their famous predecessor.

**Smith, Charles Sprague.** *Working with the People.* Pp. xvi, 161. Price, 50 cents. New York: A. Wessels Company, 1904.

This little volume belonging to the series of "Hand-books for Practical Workers," contains many valuable suggestions to those engaging in social work. It is a record of the experience of the author in the People's Institute in New York City, and as a record of work well done deserves careful consideration. Unity and brotherhood are the key-words to successful efforts.

**Smith, O. J.** *Balance: The Fundamental Verity.* Pp. xi, 286. Price, \$1.25. Boston and New York: Houghton, Mifflin & Co., 1904.

**Spearman, F. H.** *The Strategy of Great Railroads.* Pp. viii, 287. Price, \$1.50. New York: Charles Scribner's Sons, 1904.

**Tapp, S. C.** *The Story of Anglo-Saxon Institutions or the Development of Constitutional Government.* Pp. ix, 245. Price, \$1.50, net. New York: G. P. Putnam's Sons, 1904.

This book is an attempt "to demonstrate from historical facts that the Anglo-Saxon race is the only race that has ever had a true conception of republican institutions or solved correctly the problem of self-government." After discussing such subjects as "Sovereignty," "Delegated Powers," "Constitutions," etc., the author traces the origin and rise of popular government in England, and its struggle with what he calls "Normanism." We are told that the purpose of the Norman invasion of England was to "suppress the doctrine of the consent of the governed" (p. 83); that the "Normanism" of England has ruined Ireland (p. 128); that it was this element that persecuted and banished the Jews from England (Chap. XVI), and that the American Republic is but the "Sociological and political evolution of Anglo-Saxonism through centuries of struggle with Normanism and Gothism" (p. 222).

**Terlinden, Ch.** *Le Pape Clément IX et la Guerre de Candie (1667-1669) d'après les Archives Secrètes du Saint Siège.* Pp. 351. Price, 5 fr. Paris: Albert Fontemoing, 1904.

This thorough and exhaustive study of the last three years of the struggle of western Europe against the Ottoman Turks for the possession of the island of Cyprus, by M. Ch. Terlinden, is based chiefly on the secret archives of the Vatican, on the correspondence of the papal nuncios, especially those of France, Spain and Venice, the countries most interested in the war, on the valuable *lettere di principi*, and on special sources relating to the struggle in the private archives of the Rospigliosi family. After a chapter on the preliminary period to 1667, M. Terlinden takes up in the four following chapters the election of Clement IX, the political situation at the peace of Aix-la-Chapelle and the plan for a crusade to deliver Crete. In the remaining chapters the failure of the expedition, the defection of Louis XIV from the cause

and the peace with the Turks are considered. In addition to a detailed bibliography of the manuscript sources, there is a section devoted to the secondary authorities, but it consists, unfortunately, merely of the titles with dates and place of publication, without critical comment.

**Thorpe, F. N.** *A Short Constitutional History of the United States.* Pp. vii, 459. Price, \$1.75. Boston: Little, Brown & Co., 1904.  
Reserved for later notice.

**Thuenen-Archiv.** *Dr. Richard Ehrenberg* (Editor). University of Rostock. Price, 4 M. Jena: Gustav Fischer.

This is a new economic journal to discuss problems of labor and capital, commerce, etc. The first number contains among other articles an interesting account of the great firm of Siemens & Halske.

**Veblen, Thurstein.** *The Theory of Business Enterprise.* Pp. viii, 400. Price, \$1.50. New York: Charles Scribner's Sons, 1904.  
Reserved for later notice.

**Vidal, Georges.** *Considerations sur l'Etat Actuel de la Criminalité en France et les Caractères de la Criminalité Moderne.* Pp. 108. Paris: Librairie Nouvelle de Droit et de Jurisprudence, 1904.

Professor Vidal gives evidence to show that crime is steadily increasing in modern society, and that scientific knowledge has been turned to the advantage of offenders, while the measures for protecting society have not been sufficiently developed.

**Walker, Francis.** *Monopolistic Combinations in the German Coal Industry.* Pp. viii, 334. Price, \$1.25. New York: The Macmillan Company for American Economic Association, 1904.  
Reserved for later notice.

**Warren, Algernon.** *Commercial Knowledge.* A Manual of Business Methods and Transactions. Pp. 260. London: John Murray.

A brief discussion of business affairs has been attempted in this volume. The book is intended to be used as an elementary text-book and as such it has some merits; but students even in secondary commercial schools will find the treatment of the twenty topics considered altogether too brief. It is manifestly impossible to discuss adequately in a volume of 260 pages all the topics studied in a commercial high school or a business college.

**Wilcox, Delos F.** *The American City: A Problem in Democracy.* Pp. 423. Price, \$1.25. New York: The Macmillan Company, 1904.

It is an encouraging sign that the recent treatises on municipal government do not confine attention to questions of governmental organization. In this work of Dr. Wilcox but two of the fourteen chapters treat administrative questions. The others are devoted to an analysis of the conditions of city life and of the changes that are necessary in order to bring the population into closer touch with the city environment. Dr. Wilcox has done a real service in throwing the responsibility for the improvement of civic conditions on the

individual rather than on the government. It is the emphasis of this aspect of the subject that is gradually developing in our city population, an appreciation of the fact that mere changes in the mechanism of government will not solve the problems of city life. In his chapter on "The Control of Leisure" he explains with great clearness the influence which the city may exert in directing the use of leisure. He shows a keen appreciation of the deep social import of the proper use of leisure, and his words may well receive the consideration of every one interested in civic betterment. The book is an important contribution to the literature of city institutions and opens a new field for fruitful research.

Willoughby, W. W. *The American Constitutional System*. Pp. xvi, 323. Price, \$1.25. New York: The Century Company, 1904.  
Reserved for later notice.

Winch, W. H. *Notes on German Schools*. Pp. viii, 264. Price, \$1.50. New York: Longmans, Green & Co., 1904.

A very timely and suggestive study of German methods of teaching, not a description of the school system. Teachers, particularly teachers of pedagogy, will be greatly interested in the facts presented.

Young, J. S. *A Political and Constitutional Study of the Cumberland Road*. Pp. 107. Price, \$1.00. Chicago: University Press, 1904.  
Reserved for later notice.

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REVIEWS.

*L'Education des Nègres aux Etats-Unis*. By KATE BROUSSEAU, Ph. D., University of Paris and Professor of Psychology, Los Angeles, Cal. Price, 7.50 fr. Paris: Felix Alcan, 1904.

This book is a critical résumé of some 400 pages. The author has collected a mass of information from various sources, and gives the reader a good idea of what has been done. The volume contains no specially new contributions to the discussion, and in spite of the wide range of topics treated I question whether all the important factors in the situation have been duly considered and whether the picture drawn is always true to life. The difficulties arising from the character of the negro are minimized and glossed over. The mulatto question is almost ignored. There is little evidence that the economic geography of the South is understood or its significance for the future realized. In getting at the spirit of the South such important books as Tillinghast, "The Negro in Africa and America" and Brown, "The Lower South in American History" were not consulted, judging from the bibliography, and the same is true of Hammond, "The Cotton Industry"; Willcox, "Negro Criminality," and Stone, "The Negro in the Yazoo Mississippi Delta"; for Europeans, Ernst von Halle's *Baumwollproduktion*.

Throughout the book race prejudice is constantly receiving condemnation, but in such fashion as to raise the suspicion that the author does not



understand its meaning. It will not disappear because of the censure, but is one of the most permanent and important elements of the whole situation. To the statement that "The true solution of the problem will not come till the equality of the two races is really admitted," it may be rejoined that race prejudice *may* disappear when the races *are equal*, certainly not before.

Industrial education receives qualified approval, though Dr. Brousseau seems to think that its chief exponents are naïvely seeking in this fashion to make the black man useful to the white. By quoting many pages of the Atlanta conference report on industrial education, without any word of explanation or warning, the author creates a doubt as to whether she knew the biased character of that report. Moreover, the author appears to believe that the leading advocates of industrial training are opposing literary and professional instruction, which certainly is not true.

To my mind, the sketch of the limitations placed upon the development of the black by the antagonism of the whites is decidedly overdrawn. The tone of the book is a bit too pessimistic, but the final conclusions will be generally accepted. The author thinks that more attention should be paid to education, and that the national government should assist the states. It is not suggested that there are any legal or other difficulties in the way of this national aid.

Dr. Brousseau has done well to place before European readers so many facts regarding this difficult problem. The unfortunate feature is that the evil influences are unduly emphasized.

There is a good classified bibliography of American works. Curiously enough no reference is made to any French or German publications.

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*The Cambridge Modern History*, Volume VIII, *French Revolution*. Pp. xxvii, 875. Price, \$4.00. New York: The Macmillan Company, 1904.

As a specimen of composite authorship in a complicated and difficult period of history, this volume must be counted a conspicuous success. No single-volume history of the French Revolution in the English language, and possibly none in French, contains so much and such well-organized information as that embodied within the compass of this book. In breadth and accuracy of treatment, in the opinion of the reviewer, it is superior to any that has yet appeared in the series. This success is all the more because of the inherent difficulties of the subject. Admitting that the national prejudice of an Englishman against France at this time is a negligible quantity, in the light of the ideals of modern scholarship, there yet remains the variation likely to arise from the fact that several minds have produced the whole, and the necessity of reducing, so far as possible, the individual treatment of each to the common denominator of a single, compact and well-rounded history. The very method in the making of the book has militated against such a result. The unity of the subject suffers from the diversity in regard to authorship as well as from the method of division adopted. For example,

the point of view of Professor Montague towards the Revolution is somewhat different from that of Professor Moreton Macdonald; Mr. Browning's estimate of Pitt differs from that of Mr. Lodge; and, finally, the treatment of the history of the war entirely apart from events within France makes it very difficult for the reader to understand the politics of the Legislative Assembly or the Convention at certain times.

Yet in the main, the correlation of the separate chapters has been admirably done. The mortising, nevertheless, would be evident at certain points even if it were not indicated by the table of contents. This is particularly manifest in the transition from the National Constituent Assembly to the Legislative Assembly. Save for an introductory chapter by Professor Willert, of Exeter College, and a short one by Henry Higgs, of H. M. Treasury, the first portion of the work proceeds from the pen of Professor F. C. Montague, of University College, London. The history of the Legislative Assembly, of the National Convention and the Terror falls to Professor Moreton Macdonald, of Magdalen. The former is a judicious, temperate friend of the Revolution; not so the latter. Is it not going too far to say that "the Jacobin Club (in September, 1791,) . . . had carefully forced through . . . measures calculated to secure for it the mastery in the Legislative. The imposition on all electors of the civic oath had the effect of disfranchising a great number of the more respectable voters. . . . If thousands were disfranchised by this measure, millions were kept away by the *wanton and deliberate complication* of the electoral machinery, which was also a part of the Jacobin plan" (p. 211). It is to be observed that Professor Montague (p. 202) does not take this view of the provisions of the constitution in this matter. Such a stinging indictment of the electoral system as the above is true of the condition of things in September, 1792, but surely overdrawn for September, 1791 (Cf. p. 245). Again, was there no thought of using terror as a principle of government in 1793? Are the famous speeches of Barère of September 5, 1793 (*Moniteur*, Anno I, No. 251) or Robespierre's of 17 Pluiose (*Buchez et Ronx*, xxxi, p. 268 et seq.), in elucidation of this doctrine wholly cant? (Cf. Wallon: *La Terreur*, II, p. 208 et seq.). If there was more to blame during the period of the Girondins and the Terror, is there not also more to praise? The *inevitableness* of continued revolution after 1791 is something Mr. Macdonald finds it hard to become reconciled with. These observations are not made with a wish to be hypercritical, for the chapters in question are among the most brilliant in the volume.

Mr. Oscar Browning's consideration of "The foreign policy of Pitt to the outbreak of the war with France," and Mr. Lodge's chapters upon "The European Powers and the Eastern Question" and "The Extinction of Poland, 1788-97," evince that grasp upon the subject which these more veteran students of history are well known to possess. The weakest chapter is the sixteenth, "The Directory," whose corruption is fully set forth, but whose singular diplomacy, which was responsible for much of the war that followed, is almost entirely neglected. But this deficiency is in part redeemed by three chapters upon "Bonaparte and the Conquest of Italy," "The Egyptian Expedition" and "The Second Coalition," by Mr. J. H. Rose, which, while far

from being an abridgment of the first portion of the "Life of Bonaparte" by him, yet need not be considered in detail because their essential element has already been given to the world in more substantial compass. To these Napoleonic chapters must be added that upon "Brumaire," of which Mr. H. A. L. Fisher, of New College, Oxford, one of the ablest of the younger coterie of English students of continental history, is the author.

The American reader at the outset (p. 2) will probably be disposed to think the statement too bare a one to the effect that "the Americans had adopted and proclaimed the same principles as the French revolutionists." The men of 1776 did not fight for "maxims which, in France, had been proclaimed loudly in drawing-rooms, but scarcely whispered in the market-place," as Mr. Higgs says (p. 92); falling thus into the error of Professor Willert, but for the immemorial rights of Englishmen, the liberty of the subject, not abstract liberty, this every American student understands in spite of the verbiage of the Declaration of Independence. It is an injustice to Fleury to declare that Machault "was the one able finance minister of Louis XV" (p. 25), for Fleury paid off the double debt of the War of the Spanish Succession and the profligacy of the Regency. The old statement that Richelieu instituted the intendants (p. 38) is to-day refuted. Mr. Montague seems to be unaware of M. Hanataux's work upon the origin of the intendant. The assigned origin of the term "chambres ardentes" (on p. 48) was the popular, but is not the historical, source of this term. While the south of France, in contrast with the north, was the region of written law, even the Roman law there had been reduced to a variety of *coutume* more than the reader would infer from the paragraph (on p. 49) upon this subject. The discussion of population (on p. 60) omits what might have been presented in a valuable paragraph, namely, a short account of the shiftings of population between 1614 and 1789. The iniquities of the financial system (described on p. 71) lay too heavy blame upon the shoulders of Louis XIV, as an investigation of conditions in the time of the Fronde and a study of the trial of Fouquet would have shown. Taine's estimates in regard to the burden of taxation are unreservedly accepted, although M. Aulard is on record in the *Paris Temps* of August 5, 1903, when a movement to erect a statue to Taine was on foot, to the effect that "sa documentation, presque toujours erronée, n'est qu'une fantaisie." Among the reforms of Turgot (enumerated on pp. 85-6) his abolition of the guilds is omitted. Mirabeau's speech of June 23d, which is more famous than historical, is credited (on p. 157), although latest researches prove it to be apocryphal.

So far exception has been made to matters of detail, a few errors both of omission and of commission. But leniency cannot be extended to the omission of any account of Mirabeau's negotiations with the court after October 5th and 6th, to the memoir of October 15, 1789, a state document of great importance; and the later one of May 10, 1790. The same criticism may be made regarding failure to explain the self-denying ordinance of Robespierre. No mention of it appears where it should have been mentioned, and suddenly (on pp. 213 and 239) allusion is made to it in terms which imply that the reader should know all about it. Again, while the



origin of the Jacobin Club is given, nothing is said as to its method of organization or as to the causes of its rapid expansion, though every large town had one by the summer of 1790, and there were 229 in March, 1791; nearly 400 in August; 1,200 in June, 1792; and over 2,600 in September of the same year. Danton is held in large degree responsible, in his capacity as minister of justice, for the September Massacres. But was his attitude "*at best* one of cynical indifference"? Professor Macdonald ignores the thought of Danton's partisans that, owing to the danger upon the frontier, after the taking of Longwy and Verdun, resort to terror might have been deliberately made in order to intimidate the invading army in whose ranks were many of the *émigrés*, and that Danton's policy was not one of cynical indifference, but a deliberate one.

At this point (end of Chapter VIII), owing to the arrangement of the book, which treats the war on land and on sea apart, as separate subjects, unless the reader is well grounded in revolutionary history, he will do well to turn over to Chapter XIV, "The General War," by Prof. R. P. Dunn Pattison, of Magdalen, so that he may be able to weave the history of the war into the web of politics within. This he will be unable to do, however, in one particular, namely, in the matter of the Pillnitz Manifesto. The treatment of this subject (p. 399) is wholly inadequate, not to say inaccurate. The terms of the manifesto were made operative upon a condition of things Leopold knew to be impossible of accomplishment; the emperor's mind was fixed far more intently upon the impending partition of Poland than upon France, or busy with the old scheme of exchanging the Austrian Netherlands for Bavaria (Cf. Mr. Lodge in Chapter XVII, "The Extinction of Poland," p. 532). The Pillnitz Manifesto was meant more as a sop to the royal family of France and the *émigrés* than "to intimidate the French people," as von Sybel (Bk. IX) and von Holst have shown. A minor defect of this chapter also is the omission to state the demoralization and general incapacity that characterized Brunswick's army (see the interesting note in Fletcher's edition of Carlyle's "French Revolution," Vol. II, p. 341). From this chapter the reader who chooses his way, and does not follow too rigidly the method of dividing the subject laid down by the editors, will turn to Mr. Browning's chapter upon the foreign policy of Pitt. This chapter, while able and accurate so far as tested, lacks imagination. The author has little sympathy with the ideas of the Revolution and fails to appreciate how deeply the idea of "natural frontiers" influenced the French. Sorel's *L'Europe et la Revolution Française* (Vol. I, pp. 254 ff.), or certain lucid pages in the second volume of Bourgeois' admirable *Manuel Historique de Politique Etrangère*, would be pertinent reading for the student at this juncture. One minor quality of Mr. Browning's writing likely to be especially appreciated by an American reader, is his careful effort to make his man clear under the mass of titles he may wear. He tells the reader at the start that Jenkinson became Lord Hawkesbury and later Lord Liverpool; that Eden became Lord Auckland; that Sir James Harris blossomed into Lord Malmesbury.

In concluding this review a word of praise must be said of the two closing chapters of the volume, that upon "Revolutionary Finance," by Henry

Higgs, and that of M. Paul Viollet upon "French Law in the Age of the Revolution." It was a master-stroke of the editors to secure M. Viollet's pen for this subject, and also to get Professor Maitland to revise the translation of it. This one chapter in itself is worth the price of the volume to any serious student of the Revolution. There is information in it which cannot be discovered elsewhere, save by long and deep delving into many and recondite sources.

The classified bibliography appended to the volume is excellent, but the index is very inadequate.

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*The Principles of Relief.* By EDWARD T. DEVINE. Pp. 495. Price, \$2.00. New York: The Macmillan Company, 1904.

This book is a distinct contribution to the literature of scientific philanthropy. It marks a step in the development of that literature, for in it are brought to consciousness, perhaps for the first time fully, the underlying principles on which the charity organization society movement is based. Moreover, it undertakes to give a comprehensive statement of the elementary principles upon which all relief giving, whether public or private, should rest; and it correlates these principles with the general facts of economics and sociology in such a way as to leave no doubt in the mind of the reader that the author has mastered his subject. The point of view of the book is constructive throughout, as its author evidently intends; and it is safe to say that for many years to come it will be, both for the practical worker and for the scientific student, the authoritative work upon "the principles of relief."

The work is divided into four parts. Part I contains the discussion on the principles of relief. Part II is a digest of seventy-five illustrative cases. Part III gives a brief historical survey of the development of outdoor relief, both public and private, in England and America. Part IV discusses relief in disasters, beginning with the Chicago fire and ending with the "Slocum" disaster.

In Part I, after discussing the development of charity as an outcome of social progress, Dr. Devine undertakes to formulate the principle upon which charitable relief is to be given to dependent families, and from which the amount of relief required may be estimated. This he finds in "the standard of living." Families which fall below the normal standard of living are proper subjects of either disciplinary or charitable measures, as may be found appropriate. To put the matter concretely: "When the actual earning capacity of the family is below the point of physical or moral well being, the deficiency may ordinarily be made up by outside aid. Whenever possible, assistance should be of such a kind as to increase the earning capacity and so make further aid unnecessary. When the deficiency is, however, inevitable and permanent, the aid must be likewise permanent. This is the fundamental and comprehensive principle of relief." The social justification of such relief to those who fall below the normal standard of living lies partly in the fact

that industrial changes, from which the community as a whole profits, displace certain individuals, who suffer vicariously that society may gain. By wise relief measures society merely transfers to the community as a whole these burdens imposed upon individuals by industrial progress. Therefore, "a sound relief policy would seek out from among the families that become dependent as a result of such changes those who suffer most severely, and put them as nearly as possible in a position as eligible as that from which they were displaced."

In the remainder of this discussion Dr. Devine develops the idea that the standard of living affords the guiding principle in relief work, and shows how this principle applies in various phases of charitable work. After touching upon the elimination of disease, and the movement for tenement-house reform as illustrations of preventive and effective relief, he takes up the relief of the poor in their homes as the natural starting point of charitable activity, and considers the different methods of relief suitable to the various types of the family, from the single man or woman to the widow or deserted wife with children. This leads to a consideration of the questions involved in the breaking up of families, and in the care of dependent children and dependent adults. Finally, there is a discussion of four of the more important causes of dependency: family desertion, intemperance, industrial displacement and immigration.

It would seem ungracious to find any fault with such a well-done piece of work. I cannot help feeling, however, after careful reading, that the book shows too much the bias of the author's personal field of labor. Its point of view is too exclusively that of the charity organization society worker. It is but seldom that it takes the point of view of public charities. This neglect of the point of view of public charity is surely a mistake; for even though we grant the author's contention that public outdoor relief should be abolished (the case seems to be pretty well made out for large cities), public charity must always remain, on account of the preponderance of institutional relief belonging to it, more important than private charity. It is to be regretted, therefore, that Dr. Devine did not condense Part IV on "Relief in Disasters," to a single chapter, and give us in his conclusion a comparative survey of the different existing systems of state charity, pointing out, on the one hand, the principle upon which public relief should be based, and on the other, the line which should mark the division of labor between public and private charity.

CHARLES A. ELLWOOD.

*University of Missouri.*

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*The Principles of Economics.* By FRANK A. FETTER. Pp. 610. Price, \$2.00. New York: The Century Company, 1904.

Writers of economic text-books have evidently found considerable difficulty in placing before the student the results of recent theoretical analysis while retaining such parts of the older body of thought as have not been generally discarded. Conservatism has usually prevailed to such an extent



that the main outlines of the classical text-books have been preserved, while new material has been inserted wherever it seems least out of place. The book under review represents a radical departure from this method. Instead of the usual grand divisions of the science it is divided into three parts: the Value of Material Things, the Value of Human Services and the Social Aspects of Value. In order to form an opinion on the practicability of such a division of the science, we naturally turn to the topics which have been placed under each head. Manifestly the simple problem of the valuation of consumers' goods, and the laws of rent and interest logically belong in the first part, where we find them. On the other hand, we discover with some surprise that profits, monopoly, trusts and crises are placed under the general head of the value of human services. The Social Aspects of Value as a grand division of economic science, is perplexing. Value itself, we are accustomed to think, is a social phenomenon. Its social aspects are its essence. Our perplexity is not diminished when we examine the topics treated. Division A, entitled "the relation of private income to social welfare," includes private property, personal distribution, the justification of income from property and income from personal services, luxury, the reaction of consumption on production. Division B, on "the relation of the state to industry," includes naturally enough the treatment of free competition *versus* state action, coinage, protective tariff, labor legislation, public ownership and public control of industry; but it includes also such topics as the theory of money, banking, the theory of international trade, the railroad problem, and a discussion of the future trend of values,—a grouping which does not appear to be wholly logical. A careful examination of the general plan of the work makes it sufficiently clear that the titles of the various parts and divisions are not intended to serve as logical categories, but are rather, as it were, the keynotes of the discussion. The protective tariff logically belongs to the division to which it is assigned. The theory of international trade is necessary to explain it and hence is placed in juxtaposition. The part played by government in the constitution of the medium of exchange is of such importance that the whole subject of money may best be treated in connection with the economic functions of government; and for convenience the theory of banking and credit is discussed in the same connection. After all, it is not supremely important that a text-book should follow a rigid logical plan. Not improbably the best immediate results in class-room work can be obtained from a text-book which selects as its point of departure whatever is most easily understood, adding material in order of difficulty, digressing when necessary for clearness or when a related topic may be conveniently treated. In the older text-books the effects of machinery were usually treated in connection with production. In this book it is treated in connection with wages. The older classification may have been more in accordance with logic; but Professor Fetter's plan is more likely to arouse the interest of the student.

Since the author's arrangement of material is so much of an innovation, perhaps the most convenient way of arriving at a just comparison between this work and others designed to meet the same end, is to rearrange in the old order the topics discussed and consider how adequately they are treated.

The discussion of consumption in its static aspects is excellent. Diminishing intensity of wants and its correlative, diminishing utility, are explained with great clearness. The law of substitution, while receiving no extended treatment, is given a good deal of attention incidentally. Luxury is handled much in the customary fashion, but with more than customary skill. The dynamics of consumption deserved perhaps fuller discussion. While the much neglected subject of the reaction of consumption on production receives highly suggestive treatment, the evolution of wants is somewhat slighted, with the result that one of the most important aspects of the monopoly problem is practically ignored.

Of the topics usually placed under Production, the geographic basis of economics receives rather slight attention,—an omission with a purpose, since the author does not wish to emphasize differences between land and other material agents of production. The conditions of the efficiency of labor are treated with unusual clearness. Division of labor and the organization of production wear their familiar aspects. Diminishing returns are shown to be a universal phenomenon. It would be difficult to praise too highly the brilliant discussion of this subject. A commendable innovation is a chapter on repair, depreciation and destruction of wealth. Capital is treated almost exclusively from the point of view of distribution.

In the presentation of the material formerly assigned to Exchange the author discusses money with unusual frankness. He is not one of those who regard the money controversy as definitely closed. The question of a better standard than the monometallic, he declares, is but postponed. He handles international trade with a boldness that is unfortunately becoming rare among American economists. As a keen foreign critic has observed, American economists can scarcely afford to be free traders, since by the advocacy of free trade they run the risk of impairing whatever popular influence they may have. Professor Fetter dares to be a free trader. That does not mean that he would regard as expedient an immediate return to free trade. His position is practically that we should return to free trade as rapidly as a just consideration for vested interests would permit. The discussion of banking and credit leaves a somewhat indefinite impression; and the theory of foreign exchanges is introduced too abruptly and is treated too concisely to be readily understood by the student.

As any one familiar with recent controversial literature would expect, the author's presentation of Distribution is in striking contrast with the usual plan. His theory of functional distribution is the now familiar one of productivity. Whatever a laborer produces is his wage; nor is the reservation made that this is the "natural" or "normal" wage. In the latter part of the work, however, we discover that wages as a personal share in distribution vary from "economic" wages. Unfortunately, there appears to be no systematic study of the causes and extent of this divergence. The rents of material agents are likewise determined by their productivity (the term rent being here applied to the specific contributions of all material agents). Interest is treated as the sum of rents regarded as a percentage of the capital sum arrived at through the familiar process of discount. It would be beyond the

province of a review of this nature to criticize the theoretical validity of the author's position. A legitimate question may, however, be raised as to the advisability, from a pedagogical point of view, of requiring of the student such subtle analysis as is here involved. It will be admitted that the student of marked capacity will profit by the discipline; the one of ordinary talents, in the reviewer's opinion, would be quite bewildered. A second innovation is the placing of profits under the same general category as wages. So far as profits consist of the reward of superior managing ability, the classification is manifestly sound. But what of the profits arising from unexpected changes in technique, and from other causes wholly beyond the control of the entrepreneur? The only similarity between such profits and wages is that neither income is normally capitalized. Monopoly profits are put under the general head of payment for human services. But such profits are normally capitalized; hence why should they not be included in rents, employing the latter term in the author's sense? And, of course, such a distinction would be difficult to accept. Finally, the author is at considerable pains to show that the distinction between land and capital was originally based upon the fact that the renting contract in the case of land was different from the renting contract in the case of perishable goods. Since this merely legal difference tends to disappear, he regards the distinction as obsolete. It may be questioned whether the original distinction has not been supplanted by other distinctions the significance of which has not disappeared. One of the most important practical problems is that of the incidence of taxation, and in treating that problem few would disregard the difference between land and reproducible productive agents.

It may seem ungracious in reviewing a work possessing so many excellent qualities to dwell upon a few inaccuracies and imperfect modes of expression that have escaped the author's revision. On page 13 we find the fear of temporal punishment termed "a non-material want." On page 36 the definition of market seems somewhat lame. On page 64 we have the expression "the point of marginal utility" where "margin of utilization" would have been much clearer. On pages 305-6 monopolies are classified as political, economic and commercial. Why the term "economic monopoly" should be applied exclusively to the single "ownership of scarce natural agents" is not clear. On page 362 the author lays down so narrow a definition of property that he is compelled to disregard it in the third sentence following. On page 293 it is asserted that the profit-sharing plan was first tried in Paris by Leclaire. As a fact, it was tried eleven years earlier by John S. Vandeleur in Ireland. On page 446 the statement of the circumstances which led to the first formulation of Gresham's law is incorrect. The application of that law to the explanation of the difficulties inherent in bimetallism is of much later date.

Few teachers of economics, it appears to the reviewer, will be able to accept this book as completely satisfactory in all its details. This does not, however, imply an adverse criticism of the book as a whole. In the wealth of material treated, in the judicious employment of all methods of economic study, in the sanity and lucidity of discussion, the book has hardly an equal.



Moreover, it is the most readable book on economics that the reviewer has had the good fortune to peruse. Were he to recommend a text-book for a student who could not have the advantages of class-room discussion, Professor Fetter's book would be his first choice.

A. S. JOHNSON.

*Columbia University.*

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*The Declaration of Independence, an Interpretation and an Analysis.* By HERBERT FRIEDENWALD. Pp. 299. Price, \$2.00. New York: The Macmillan Company, 1904.

The Independence campaign has never been so carefully studied as in this valuable monograph, which is a fitting product of the author's long-continued and scholarly researches. In the chapter entitled "The Popular Uprising," the organization of the revolutionary forces is outlined and some very interesting facts noted. Of the twelve colonies sending delegates to the first Congress, but five acted through their assemblies, and three of these were in complete control of the revolutionists. All the rest had a revolutionary organization outside of the assembly. Committees, conventions and irregular bodies acted for the rebellious factions. When non-importation and non-exportation was resolved upon, the continental organization became necessary, and the Congress became the natural advance from the committee organization. In "The Congress Finding Itself" the author shows how the Congress grew from an impotent body with vague powers to one having practically complete control of the affairs of a people engaged in a war. He unfolds the phenomena of a politically organized body, deriving all its sanction from local political organs, and dependent on their good-will for existence—limited in its authority only by the reason and good sense of its constituents—gradually leading the colonies to new governmental organization and final independence. One constantly wishes that Mr. Friedenwald would say definitely what his story so conclusively proves—that the Revolution was the work of an active and vigorous minority, which first got control of Congress and then reached out until it drew with it the reluctant people. Instead, the author only hints at this in his thesis that the Congress relied on and fostered the democratic elements from which, in a large measure, it derived its power. Congress not only took heed not to get far ahead of the people, but kept a guiding hand upon the course of events. The conservative party tried to keep "the people" from getting control, for among "the multitude were to be found the radicals who before had enjoyed little share in political affairs." The various methods by which Congress coerced the conservatives are clearly shown, but we cannot agree with the interpretation put upon the acts of Congress suppressing the Loyalists, inviting foreign intervention and founding a navy. These were not necessarily "sovereign" acts, if we consider how and in what spirit they were done. However, there is room for a difference of opinion. A phrase quoted by the author—"the supreme superintending power"—better describes Congress than the word "sovereign." "The Idea of Independence takes Root and the Congress Prevails" is a very valuable chapter upon the work of

Congress in getting the independence idea before the people. Paine's "Common Sense" is represented as inspired by members of Congress, conceived with deliberation, and made to appear at the "psychological moment" calculated to make it a success. From that point on the gradual growth of the power of Congress is clearly drawn, but the character of the power is never defined. Though the author states that the enforcement of Congress' resolutions was left to assemblies, conventions and committees of safety, yet he seems not to see how this fact affects the interpretation of Congress' position in the American political system.

In the chapter entitled "The Congress and the Democracy," the methods used by the radicals to free themselves from the conservatives fortified behind the old franchise limitations are admirably sketched. How Congress took advantage of the actions of British government, and how it used the growing Continental army to strengthen the revolutionary organization, and how it perfected the system of revolutionary conventions and committees is a fascinating political study. We cannot see how Mr. Friedenwald justified the statement (p. 92) that Ellery, of Rhode Island, came to Congress with new instructions "permitting them (Rhode Island delegates) to vote for independence if joined by others." The delegates themselves were disappointed in not receiving definite instructions as to independence (see Staples, R. I. in the Cont. Cong.). Again, the statement (p. 96) as to Gwinnett and Hall's instructions needs modification to give the exact spirit of the instructions. The following chapter, "Independence in the Making," portrays in a scholarly way the last stages of the fight. Two slips should be noted: There is nothing in Delaware's instructions that warrants the statement (p. 110) that she swung "into line for independence on June 14th," and Governor Franklin was not "ordered" (p. 112), but *recommended* to be sent into Connecticut.

The succeeding chapters tell of the adopting and signing of the Declaration, criticise its critics, discuss its purpose and very ably explain its philosophy. The last two chapters consist of an examination of the historical accuracy of the charges made in the Declaration against the British king. These chapters represent an immense amount of careful research in the materials relating to the early stages of the Revolution. The book as a whole represents an amount of study that gives great credit to the author's conscientious scholarship. It will be greeted with real enthusiasm by all students of this ever-interesting theme.

C. H. VAN TYNE.

*University of Michigan.*

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*The American Colonies in the Seventeenth Century.* By HERBERT L. OSGOOD.  
2 vols. Pp. 1068. Price, \$5.00. New York: The Macmillan Company,  
1904.

Probably most students of American colonial history have been at times oppressed by the volume of material which they owe to the antiquarian zeal and local patriotism of individuals and public authorities in the older states of the Union. There is now available a great quantity of source-material,

edited with varying degrees of scientific accuracy. Many useful monographs have been constructed dealing with particular localities or particular phases of institutional life, but there still remained the need of an institutional history of the colonies which should be not only thorough, but comprehensive, in which the multiplicity of details should not prevent a clear statement of underlying principles.

This need Professor Osgood has undertaken to supply. All serious students of American history have been familiar for some time with his qualifications for the task. The expectations thus raised have not been disappointed.

The scope of the present work is limited by the definite selection of a single line of inquiry to which all other interests are subordinated. To use the words of the author, himself, he has made "an attempt" "to interpret early American history in the terms of public law." Thus we have primarily a study of the state with only such consideration of other interests as may be found necessary to illustrate the activity of the state. In some instances, the adoption of this principle leads to marked departures from conventional treatment. Thus the Plymouth Colony is treated first as an incident in the administrative history of the Council for New England; and, in a later chapter, following the description of Massachusetts, there is a brief account of its governmental organization. For the distinctively religious aspect of the Pilgrim Colony, the reader must look elsewhere. Again, almost the only reference to slavery in South Carolina is to be found in a description of the military system of that province. These examples are given only to show how closely the author adheres to his original definition of the field. On the other hand, whenever ecclesiastical and economic facts have a direct and obvious bearing upon political institutions, they receive a remarkably thorough and satisfactory treatment. This is illustrated by the admirable chapter on "Church and State in Massachusetts," the treatment of the corresponding subject in the proprietary provinces, and the chapters on the land systems of the various colonies. The two volumes now issued deal primarily with institutions as worked out in the individual colonies, leaving the development of a colonial policy by the home government, the institution of a system of imperial control, to be considered in a third volume. This results in a chronological limitation of the field, which varies in different colonies. Thus the history of Virginia closes with 1624, that of Massachusetts with 1684, while the study of proprietary government in the Carolinas is in some of its phases carried into the early years of the eighteenth century.

After a brief study of the sixteenth century charters of discovery, the author considers first the earlier form of proprietary government in which land and jurisdiction were conferred on a commercial corporation, governing from its place of business in England the colony which it had founded in America. This phase of colonization is illustrated by the experience of Virginia under the London Company and by the Council for New England. This method of planting colonies passed, without at first any conscious purpose on the part of the English Government, into what Professor Osgood calls the "corporate colony." The transition is seen in the history of Massachusetts



Bay, whose government originated in a charter similar to that of the Virginia Company, but was given a radically different direction by the emigration of the officers and active members of the corporation. The corporate privileges granted by the charters were thereafter exercised wholly by men who were themselves colonists, and who were in a position to work out their own ideals with almost complete freedom from external interference. Under this system the characteristic institutions of New England were developed along lines sharply divergent in many respects from the prevailing ideals and practices of the mother country.

Parallel with the development of the corporate colony in New England, there arose a new form of the proprietary province, based on the old world model of the palatinate, and becoming for a time the characteristic form of government in the middle and southern colonies. In opportunities for self-government the proprietary provinces were inferior to the corporate colonies of New England. Yet here also a wide field was opened for political experiment, first through the liberal theories of the proprietors themselves, best illustrated in the Quaker colonies of Pennsylvania and West Jersey, and partly also through the necessity of political concessions in order to attract and to hold settlers. Thus in a considerable measure the form of the proprietary province was modified by the incorporation of distinctively popular and American principles.

The author does not adhere rigidly to a uniform arrangement of topics for the different groups of colonies. Generally speaking, however, a description of the growth and organization of particular governments is followed by a discussion of the manner in which various governmental functions, such as judicial administration, finance and colonial defense, were performed in the general group to which the particular colonies belonged. These latter chapters will probably be recognized as especially important contributions to our stock of historical knowledge. The attention of the reader may also be particularly directed to the conservative but suggestive generalizations to be found in the introductory and concluding chapters. The practical efficiency of the book is greatly enhanced by a detailed table of contents and a careful analytic index.

Throughout these two volumes one sees evidence of the thorough use of a wide range of materials. Some monographs are judiciously used, but in the main, the work rests upon independent examination of the sources. One is struck not only with the range of material used, but still more with a certain intimacy which the author shows with his authorities. There is also a discriminating selection of essentials, which in the hands of a less experienced scholar might have been lost in a mass of undigested details.

There are doubtless many persons to whom the author's style will seem somewhat dry. The general reader will probably not find entertainment in these pages, and even the student may feel that the author's close adherence to governmental forms and functions has been, at times, too rigid. In the main, however, the difficulties of the book are of a kind almost inevitable from the nature of the topics chosen, and the serious reader will find it not only instructive, but full of interest. For the student of our institutional

beginnings, Professor Osgood has provided one of the few treatises which are really indispensable.

EVARTS B. GREENE.

*University of Illinois.*

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*The Anthracite Coal Communities.* By PETER ROBERTS. A Study of the Social, Educational and Moral Life of the Anthracite Regions. Pp. xii, 387. Price, \$3.50. New York: The Macmillan Company, 1904.

To all persons interested in the industrial and social life of the American people, and especially of those of foreign birth, Dr. Roberts has rendered a service in the production of this work. The present study of industrial and social conditions in the anthracite regions, shows evidence of a vast amount of research and of a large and broad experience on the part of the author. The difficulties in the way of an adequate description of the social, religious and industrial life of the many diverse peoples jumbled together in the anthracite regions, must be apparent to any one who has essayed the task. For the prosecution of this work, however, Dr. Roberts is peculiarly well equipped, having lived for the greater part of his life in this region and having by daily intercourse obtained a great body of information which he has made accessible in this book.

In view of the undoubted merits of the work before us, it is an ungrateful task to point out defects, however patent and obvious. Dr. Roberts has presented to us a large amount of information, covering every phase of the life of the native and foreign-born miner of eastern Pennsylvania, and the matter in the main is both true and original. His style of presentation, however, is bad. The work is diffuse, and is interlarded with much extraneous matter. The book also lacks a broad and basic philosophy, while it abounds in moral reflections which are somewhat obvious.

The book of Dr. Roberts is therefore valuable, not as a whole, but for its parts. If we disregard its conclusions and commentaries, there still remains a considerable fragment of the book, consisting of information and observations upon the industrial population of the anthracite regions. The author is thoroughly conversant with the statistical information previously available, and presents this matter in a clear and interesting manner. Of still greater value, however, are the individual observations of the author upon the character of the various races employed in and about the mines, their standard of living, their home life, the manner and extent of their education, the literature which they read, the religious and intellectual influences which bear upon them, their tendency toward drunkenness, their disposition to crime and pauperism, their tendency toward saving money, their attitude toward marriage, their relations toward the state and the various other elements which enter into the social, moral and industrial life of the people. In these observations of social phenomena, Dr. Roberts shows himself both acute and discerning, and his direct generalizations are always vivid, even where they are too broad to be entirely accurate.

It is impossible in the course of a short criticism to give the reader any

adequate conception of the contents of this book. Dr. Roberts divides the mining population into Anglo-Saxons (by which he means the English-speaking miners and the natives of Germany) and the Slavs (or, as he spells it, Sclavs), in which he includes all non-English-speaking peoples in the region, such as Poles, Austrians, Hungarians, Bohemians, Russians, Lithuanians, Greeks, Italians and many others. Dr. Roberts describes how the Slavs are taking the place of the English-speaking miners, how they are accumulating wealth and acquiring citizenship. In his chapter on the "Three Crises," he presents a detailed investigation of the statistics of births, deaths and marriages, showing a high death rate, and especially a high mortality for children among the non-English-speaking miners. The chapters on the standard of living, on the cost of lodging, clothes and food, also present a large amount of well-digested information; while in the following chapter Dr. Roberts makes a plea for a higher standard of living and for better housing facilities throughout the region. The book also contains chapters on the educational facilities, the intellectual and religious life, the temperance question, the facilities for saving, the criminal and dependent population and the political machinery of the region.

The book is well printed and contains a number of maps and photographs.

WALTER E. WEYL.

*University Settlement, New York.*

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*American History and its Geographic Conditions.* By ELLEN CHURCHILL SEMPLE. Pp. 465. Price, \$3.00, net. Boston and New York: Houghton, Mifflin & Company.

Miss Semple has endeavored to describe the geographic background of American history, to show how physical conditions have influenced the settlement of the United States and the development of our national life. The author has endeavored to combine physical geography, economic geography and history in the same volume. Having studied for some years under Professor Ratzel, and having written numerous papers on different phases of American geography, Miss Semple is well qualified to deal with her subject. In the book under consideration, the author evidences a good knowledge of American history. Her information regarding transportation and industry is less thorough.

The volume opens with the geography of the discovery and settlement of the Atlantic Coast section of the United States, and then points out the influences of the Appalachian Mountains upon our colonial history and upon the westward movement of population. The geographic factors affecting the settlement of the region west of the Allegheny Mountains and the forces that brought about the Louisiana Purchase are next considered. The spread of population in the Mississippi Valley, the routes over the Rocky Mountains to the Pacific and the occupation of the Far West are described; and an account is given of the geographic factors that were influential in the War of 1812 and the Civil War. Separate chapters are devoted to the geography of inland waterways, the distribution of railroads, the distribution of cities



and industries, and the distribution of immigration. The book closes with a discussion of the relation of the United States to the American Mediterranean and to the Pacific Ocean.

To cover such a large subject as this in one volume necessitated a very general treatment of the various topics considered. The book is for the general reader and not for the special student. Those who are specially interested in the geography of inland waterways and railroads, and in the distribution of immigration, and in the geography of American industries will regret that space did not permit the author to present these subjects in greater detail.

It is particularly to be regretted that the maps were not made a more prominent feature of the book, and it is to be hoped that future imprints of the volume may contain a greater number of maps. Being obliged to treat the subject in outline, it would have made the book far more instructive had each chapter been illustrated by one or more carefully prepared maps. In its present form the volume contains but sixteen maps and sketches, and several of these are of minor importance.

This review of Miss Semple's work is made somewhat critical, not because the reviewer considers Miss Semple's work to be in the least degree superficial, but because he feels there is great need for a better appreciation of the influences of the geographic factors upon the course of American history. We shall understand the political problems of American history and the development of our American life far more adequately when we know in detail the influences of physiographic forces. It is to be hoped that Miss Semple's excellent introduction to the relation of geography to American history may be followed by a more detailed and exhaustive treatment of the different topics discussed in "American History and its Geographic Conditions."

EMORY R. JOHNSON.

*University of Pennsylvania.*

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*Citizenship of the United States.* By FREDERICK VAN DYNE, Assistant Solicitor of the Department of State of the United States. Pp. xxvii, 385. Price, \$4.50. Rochester: The Lawyers' Co-operative Publishing Company, 1904.

Mr. Van Dyne is well qualified by his ten years' experience in dealing with the multifarious legal questions relating to citizenship that have arisen in the Department of State for writing an authoritative work on this subject, and it is but fair to say that he has in a large measure succeeded. On the other hand, it must be said that his work is more of a compilation than a scientific treatise, and he has apparently felt some timidity in drawing conclusions and making generalizations. It is also a matter of regret that Mr. Van Dyne has limited his study to the legal aspects of the acquisition and loss of citizenship, leaving untouched other important phases of the subject, such, for example, as the rights and privileges of citizens under the Constitution. He has also restricted the scope of his work to federal citizenship,

leaving to others the subject of state citizenship in its various bearings. But on the law of federal citizenship Mr. Van Dyne has given us a convenient and authoritative work. He has collected and arranged under appropriate topics the law as gathered from the Constitution and the statutes, the decisions of the courts, the rulings of the Department of State, the instructions to diplomatic officers, some of which are still in manuscript, the opinions of the attorneys-general and the decisions of arbitration commissions. In the collection and arrangement of his material there is little to criticise. In treating of citizenship by birth in the United States, Mr. Van Dyne points out that the existence side by side of two conflicting doctrines, the *jus soli* and the *jus sanguinis*, has been a source of much confusion in determining citizenship, but he does not discuss with sufficient fullness the distinction between the two theories, nor does he indicate how the confusion to which he refers has arisen. It is hardly correct to say, as he does on page 7, that the definitions of citizenship contained in the Civil Rights Act of 1866 and in the Fourteenth Amendment are "practically identical." A reasonable interpretation of the language used in the Civil Rights Act would exclude from citizenship children born in the United States of parents who are citizens or subjects of foreign countries, while the court has interpreted otherwise that used in the Fourteenth Amendment. Had the language used in the former been retained in the latter the decision of the Supreme Court in the Wong Kim Ark case, that children born of Chinese subjects in the United States are citizens, could hardly have been possible. Mr. Justice Miller's much criticised dictum in the Slaughter House cases, that children born in the United States of parents who are subjects of foreign powers are excluded from citizenship, would have been a sound interpretation had the language of the Fourteenth Amendment been that of the Civil Rights Act, but there was an important difference, and Justice Miller's interpretation was rejected by the court in later decisions. In discussing the definition of citizenship contained in the Fourteenth Amendment, Mr. Van Dyne neglects to point out that the definition does not embrace all possible cases, such, for example, as those of children born abroad to American parents and alien women married to citizens of the United States, nor does he indicate who are excluded by the phrase "subject to the jurisdiction thereof."

In treating of the acquisition of citizenship by naturalization, Mr. Van Dyne apparently has no feeling of criticism for the inconsistency, not to say injustice, of our naturalization laws. It is difficult to see any good cause why Africans and Indians (Act of 1890) should be permitted to acquire American citizenship through naturalization, while Chinese, Japanese and other intelligent peoples are denied the privilege, especially in view of the fact that under the Wong Kim Ark decision they do become citizens by birth in the United States. It seems to the reviewer that Mr. Van Dyne has overestimated the importance of the decision of the Supreme Court in the Insular cases so far as its bearing upon citizenship is concerned. In his discussion of naturalization by treaty, he devotes over sixty pages or nearly one-fifth of his entire text to quotations from the opinions in the case of *Downes vs. Bidwell*, notwithstanding the fact that these opinions deal only indirectly with

citizenship and even then only as *obiter dictum*. His discussion of the citizenship of Porto Ricans and Filipinos will now have to be revised on account of the recent decision of the Supreme Court in the case of *Gonzales vs. Williams*, that Porto Ricans are not aliens to the United States. In this case the Supreme Court refused to pass upon the question whether the plaintiff, not being an alien, was necessarily a citizen, as that question was not directly before the court. It is probable that the court will be called upon at an early day to settle this question definitely, and until then it is necessary to admit, however unpleasant it may be, that Porto Ricans and Filipinos who owe allegiance to the American flag are neither aliens nor citizens (*staatsbürger*), but subjects (*staatsangehörige*).

JAMES WILFORD GARNER.

*University of Illinois.*



# Educational Organization and Progress in American Cities

A Symposium on Present Educational Conditions and Needs

- New York.**—FREDERICK S. HALL, Assistant Secretary, City Club, New York City.
- Chicago.**—HUGO S. GROSSER, City Statistician, Chicago, Ill.
- Philadelphia.**—MISS DORA KEEN, Secretary Public Education Association of Philadelphia.
- Boston.**—THORNTON B. APOLLONIO, Secretary Boston School Committee.
- Baltimore.**—HUGH S. HANNA, Johns Hopkins University, Baltimore, Md.
- Cleveland.**—F. E. STEVENS, Secretary Municipal Association of Cleveland.
- Buffalo.**—PROFESSOR A. C. RICHARDSON, Buffalo, N. Y.
- Cincinnati.**—MAX B. MAY, Cincinnati, O.
- Pittsburg.**—EDWIN Z. SMITH, Pittsburg, Pa.
- New Orleans.**—JAMES J. McLoughlin, New Orleans, La.
- Milwaukee.**—JOHN A. BUTLER, Milwaukee, Wis.
- Washington, D. C.**—GEORGE S. WILSON, Secretary of Board of Charities, Washington, D. C.
- Providence.**—SIDNEY A. SHERMAN, Ph. D., Providence, R. I.
- Kansas City.**—HENRY L. McCUNE, Kansas City, Mo.
- Grand Rapids.**—DELOS F. WILCOX, Grand Rapids, Mich.
- Seattle.**—PROFESSOR J. ALLEN SMITH, Seattle, Wash.
- Duluth.**—W. G. JOERNS, Duluth, Minn.

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## INTRODUCTION

### DIGEST OF SCHOOL LAWS<sup>1</sup>

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#### I. EXECUTIVE ORGANIZATION.

1. *Baltimore.*—Board of School Commissioners, six members; appointed by Governor for six years; no compensation.
2. *Boston.*—School Committee, twenty-four members; elected for three years; no compensation.
3. *Cleveland.*—Board of Education, seven members; forming a council with a director as the executive, elected for two years; compensation: council, each, \$260 annually; director, \$5,000 annually.

<sup>1</sup> Compiled by Miss Francis A. Keay. Arranged by Miss Dora Keen for the Committee on Reorganization of the School System of the Public Education Association of Philadelphia.

4. *Indianapolis*.—Board of School Commissioners, five members; elected for four years; no compensation.
5. *Minneapolis*.—Board of Education, seven members; elected for three years.
6. *New York*.—Board of Education, forty-six members; appointed by the Mayor for five years; no compensation. Local boards of five for each borough, with a district superintendent and a member of the Board of Education assigned to each. Appointed for five years by borough president, who serves *ex-officio*.
7. *Rochester*.—Board of Education, five members; elected for four years; compensation, \$1,200.
8. *St. Louis*.—Board of Education, twelve members; elected for six years; no compensation.

## II. EXECUTIVE DUTIES.

### (a) *Instruction.*

1. *Baltimore*.—A superintendent; appointed by board; supervises study and determines new methods; examines teachers and nominates them to board; teachers chosen from lists, graded by competitive examinations.
2. *Boston*.—A superintendent and a Board of Supervisors; elected by the School Committee for two years; superintendent shall employ teachers, in consultation with his Board of Supervisors.
3. *Cleveland*.—A superintendent; appointed by the school director, during good behavior; shall employ and discharge teachers.
4. *Indianapolis*.—A superintendent; elected by the Board of Education for one year, re-election for four years. "Superintendent shall have sole power to appoint and discharge all assistants, principals, supervisors and teachers," subject to disapproval by four-fifths vote of board. Board shall adopt rules for obtaining, by open competition, and without regard to religious or political beliefs, eligible lists from which all teachers and all other employees, except the superintendent, shall be selected with regard exclusively to fitness.
5. *Minneapolis*.—A superintendent; appointed by board for three years; teachers selected by examinations.
6. *New York*.—A superintendent, associates, district superintendents and a Board of Examiners; superintendent appointed by Board of Education for six years.
7. *Rochester*.—Superintendent; appointed by board for four years; teachers selected by competitive examinations.
8. *St. Louis*.—A superintendent; appointed by board for four years; shall have supervision of study and appointment of teachers subject to approval of board.

### (b) *Business Management.*

1. *Baltimore*.—(1) Committee of board purchases sites and erects buildings; (2) supervisor of school buildings, holding office at pleasure of board, nominates janitors and firemen to board, purchases fuel, apparatus and

furniture, supervises alterations, repairs, cleanliness, plumbing, heating and ventilation.

2. *Boston*.—(1) Board of Examiners selects sites and provides accommodations; appointed by Mayor; (2) care of buildings by School Hours' Committee; appointed by School Committee; (3) Committee on Supplies; appointed by School Committee; (4) school house custodian; appointed by School Committee.
3. *Cleveland*.—(1) School director contracts for erection and repairs; (2) a superintendent of buildings; an architect approves estimates and controls workmen.
4. *Indianapolis*.—Business director; appointed by board for one year.
5. *Minneapolis*.—Committees of board: (1) Finance; (2) Buildings and Repairs; (3) Teachers, Janitors and Salaries; (4) Fuel and supplies.
6. *New York*.—(1) Superintendent of school buildings; appointed by the board for six years; (2) also superintendent of school supplies.
7. *Rochester*.—Directly by the board.
8. *St. Louis*.—Commissioner of school buildings; appointed by the board to have entire charge of buildings.

### III. FINANCE.

1. *Baltimore*.—Proportion of state tax; city tax, 10 cents on every \$100.
2. *Boston*.—34 cents on every \$100; 4 cents for new construction; 2½ cents for repairs.
3. *Cleveland*.—Expenditures made as with an appropriation in Congress; approval of Board of Tax Commissioners required.
4. *Indianapolis*.—5 cents on every \$100 for ground and new buildings; 11 cents on every \$100 for maintenance.
5. *Minneapolis*.—40 cents on every \$100.
6. *New York*.—Budget presented to Board of Estimate and Apportionment.
7. *Rochester*.—Minimum tax of \$25 per pupil; levied by Common Council on recommendation of board; any larger appropriation at discretion of Common Council.
8. *St. Louis*.—Board of Education levies and collects such school taxes as are authorized by statute law.

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### NEW YORK CITY

By FREDERICK S. HALL, Assistant Secretary, City Club, New York City.

On February 20, 1905, New York City will celebrate the centennial of the organization of its public school system. Previous to this there will be published a history of the public schools of the city, which Secretary Palmer of the Department of Education has had in preparation since last June. This history will make a book of nearly four hundred pages, and will give information which it is very difficult to obtain at present.



In this connection a summary of the organization of this important department in New York City may be of interest.

1. *Executive Authority.*—This is vested in a board of forty-six members, appointed by the Mayor of the city, serving for five years. The terms of office of the various members are so arranged that a certain number retire each year, their places being filled by new appointees.

2. *Relation of the Board of Education to the Board of Aldermen and the Mayor.*—The Board of Education is dependent upon the Mayor as above indicated, and upon the Aldermen and Board of Estimate and Apportionment only in so far as additional appropriations are needed above the appropriation which must be given to the Board of Education, according to the terms of the charter.

3. *Financial Powers of the Board of Education.*—The Board of Education has complete power to administer all monies appropriated by the Board of Estimate and Apportionment. This board is obliged to appropriate each year not less than four mills on each dollar of the assessed valuation of the real and personal estate of the city. The board, for the purposes of the charter creating it, has all the powers of a corporation. It may sell such of its personal property as it no longer needs, and when such payments have been made to the treasurer of the city they must immediately be paid back into the School Fund. The board has full powers to lease property and enter into contracts for supplies, etc., limited only by its appropriation.

4. *Powers of the Board of Education in Determining the Number of Schools.*—These are complete within the appropriations granted by the Board of Estimate and Apportionment.

5. *Powers of the Board of Education with Reference to the Curriculum.*—The board has power to adopt and alter courses of study. In the exercise of this power, however, the board can act only upon the recommendation of the Board of Superintendents, composed of the city superintendent and his eight associates. The theory under which the educational system of this city is given its powers under the charter, is that the business phases of the work of the department should be cared for by the Board of Education and the various business bureaus responsible directly to it; such as the Bureau of School Buildings and the Bureau of Supplies; while the distinctively educational problems should be under the immediate supervision of the Board of Superintendents. Each member of this latter board has a seat and a voice in the Board of Education, but no vote, and is appointed for six years by the Board of Education. The Board of Education adopts text-books to be used in the schools, but only on the recommendation of the Board of Superintendents.

6. *Powers with Reference to the Appointment of Teachers.*—The Board of Education appoints all members of the teaching staff from an eligible list provided by a special Board of Examiners, but only on the recommendation of the Board of Superintendents, which board is obliged to choose one from the first three names on the appropriate list. The Board of Education is at liberty only to approve or reject a name.

7. *Local School Boards.*—In each of the forty-six school districts there-

is a local school board of seven members, including one member of the Board of Education, appointed by that board, the district superintendent in charge of the district and five other persons named by the president of the borough. This board must hold monthly meetings, except in July and August, must make quarterly visits to all schools and may make recommendations to the Board of Education on practically any subject for the improvement or the extension of the schools within their jurisdiction. These local boards may also try charges against teachers and principals, but the penalties inflicted must be approved by the Board of Superintendents. They may also transfer teachers with the approval of this board.

8. *Adequacy of School Accommodations.*—This subject has commanded more attention recently than any other in connection with the public schools, being one of the principal issues raised during the last municipal campaign in 1903. According to the most recent figures given out by the Department of Education, February, 1904, there were at that time nearly 75,000 children attending school but "part time" (a little less than full time), because of the inadequacy of the existing school buildings to accommodate all of the children at the same time. Schools in which "part time" classes are held have two separate sets of scholars succeeding each other.

9. *Recent Improvements.*—The most recent improvements in the administration of the department relate to the extension of the department work in the line of evening recreation centres, vacation schools, summer roof garden concerts, etc.; the formation of ungraded classes for backward or defective children, and the more systematic enforcement of the compulsory education law (amended to make it more enforceable in the spring of 1903) in connection with the child labor laws of the state.

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## CHICAGO

By HUGO S. GROSSER, City Statistician, Chicago, Ill.

The educational system of the city of Chicago is, by statutory enactment, under the control and management of a "Board of Education." This consists of twenty-one members appointed by the Mayor, "by and with the advice and consent of the Common Council," for a term of three years.

Although a *quasi* corporation created by the general law of the state, the Board of Education is nevertheless dependent, in several important matters, upon the City Council, and to that extent, at least, a part of the municipal government of the city. Three of the powers given it by the law are under the distinct condition of the concurrence of the City Council. These are:

1. The power to erect or purchase buildings suitable for school houses and to keep the same in repair.
2. The power to buy or lease sites for school houses, with the necessary grounds, and to acquire such lands, if necessary, by condemnation proceedings, which must be brought in the name of the city in trust for the use of the schools.

3. The power to issue bonds for the purpose of building, furnishing and repairing school houses, for purchasing sites for the same and to provide for the payment of such bonds; to borrow money for school purposes upon the credit of the city.

The board also acts in conjunction with the council in regard to the tax levy for school purposes, although the council's part herein is merely perfunctory. The board certifies annually to the council the amount of money required to be raised by taxation for school purposes, and the City Council, in the language of the law, "shall thereupon cause the said amount to be levied and collected." All moneys raised by taxation, or received from any other source for school purposes, are held by the city treasurer as a special fund for school purposes, subject to the order of the Board of Education, upon warrants to be countersigned by the Mayor and City Comptroller. The title of all real estate for school purposes rests in the city in trust for the use of the schools, and no sale of such real estate shall be made except by the City Council upon the written request of the Board of Education. It is further made a duty of the board to report, from time to time, to the City Council any suggestions they may deem expedient or requisite in relation to the schools and the school fund, or the management thereof, and generally to recommend the establishment of new schools and districts, and also to communicate to the council such information within their possessions as may be required. On all other matters the Board of Education acts absolutely independently, and a special section of the school law provides that no power given to the board shall be exercised by the City Council. These powers relate mostly to the furnishing and maintenance of school houses, the employment of teachers and the management of schools generally. The board may hire buildings or rooms for the use of schools, divide the city into school districts, create new ones when required, lease school property and loan moneys belonging to the school fund. It is the duty of the board to prescribe what studies shall be taught, what books and apparatus shall be used, and to prescribe the method and course of discipline and instruction.

The board has full power to employ teachers, fix the amount of their compensation and to dismiss and remove any teacher whenever deemed advisable. The present law requires the election of teachers from year to year, but at the annual election in June, 1902, all teachers were formally elected with the understanding that their positions should be permanent during efficiency and good behavior. The superintendent of schools is given the initiative in the appointment, promotion and transfer of teachers. The teachers are chosen from a list of candidates arranged in the order of efficiency. This list consists of: 1. Former teachers in the city schools who hold valid certificates; 2. Graduates of the normal school who have completed their cadetship satisfactorily; 3. Experienced teachers from outside the city who hold valid certificates and have completed four months' satisfactory substituting. This system is as yet sustained only by the rules of the board. A bill designed to give permanence to these and other rules was presented to the last legislature, but through misunderstanding and misrepresentation was defeated. A similar bill will again be submitted to the next legislature, which convenes in January, 1905.



*School Accommodation.*—The city of Chicago, like every other fast-growing city, suffers much from the lack of adequate school accommodations. The school census taken in June, 1904, enumerates a total of 534,175 persons of the ages of four years and over and under twenty-one. There are 68,723 children between the ages of four and six, of which number 8,761 attend public schools, 3,909 other schools and 56,053 no schools. Of the 303,350 children between the ages of six and fifteen, 220,983 attend public schools, 58,805 other schools and 23,562 no schools. Of the latter, 12,000 have a permit to work. Of the 162,102 persons between the ages of fifteen and twenty-one, 162,102 attend no school, 16,189 attend public schools and 8,993 other schools. The total number of children attending the public schools is 245,933, while 71,107 attend other schools and 216,535 no schools. The total enrollment of pupils in the public schools for the month of September, 1904, was 251,067. The total number of school-rooms was 4,969, including 129 rooms in rented buildings, which accommodate 5,345 pupils. There are not less than 11,266 pupils who can attend school for a half day only. The city owns at present 262 school buildings and 94 branch schools, while 12 school buildings are in course of erection. During the school year ending June 30, 1904, the sum of \$1,355,381.42 was expended on account of contracts for erection of new buildings and \$1,650,379.27 during the year 1903. Very recently the board authorized the erection of 26 portable school buildings, at a cost of \$2,000 each. These, it is presumed, will at least temporarily provide adequate accommodations for the pupils now in half-day divisions. The board, together with the council, is making every effort to provide for sufficient school room and the day of inadequate school accommodations, it is hoped, will soon be over.

The Board of Education is not only endeavoring to furnish sufficient accommodation, but it is also bending every effort to improve the service in all directions. The disappearance of all political "pull" from the school system has greatly helped matters. The board itself is composed of the very best material that can be found, its members being appointed by the Mayor, with absolute disregard of their political allegiance. All employees of the board, except the teaching force, are appointed under the civil service provisions, and the teachers themselves since last year are appointed under a merit system, as already stated. The adoption of the rule governing the appointment of teachers, and the strict adherence to it by the board, has made impossible any improper influence that formerly may have been brought to bear to interfere with the selection of teachers, and the superintendent has been practically unhampered in the execution of his plans for a better school system. The board has also adopted a uniform and impartial method of making transfers of teachers. A new system of promotional examinations and increased salaries to those that are promoted to some higher group furnish to the teacher a constant incentive to greater efficiency in the work to be done. Formerly mere length of service entitled one to increased salaries; to-day efficiency is the measure applied. For years there has been systematic voluntary effort on the part of the teachers to equip themselves with the most modern ideas in their work; they formed private classes at their own expense to pursue their studies, and in private gatherings or meet-

ings of their associations tried to raise the standard of their profession. Since October, 1902, the Board of Education furnishes the teachers the opportunity to carry on such work under the direction of instructors at the expense of the board. This "normal school extension work," as it is called, is taken up by many teachers, and has proved exceedingly successful. School principals state that the whole spirit of their schools has been transformed by this work, and note a great change and improvement in the work of individual teachers resulting therefrom. A year ago there were 83 classes, with a maximum enrollment of 2,975 teachers; to-day there are 157 classes, with an enrollment of 4,743. The total number of teachers employed by the city is 5,654. The subjects included in this extension work are: Education, psychology, mathematics, science, geography, history and civics, English literature, German, French, art, music, physical training, manual training, cooking and sewing.

A new course of study introduced this year, the result of a year's study and discussion on the part of the superintendent, the district superintendents, the principals' association and special teachers, will no doubt also tend to further improve the efficiency of Chicago's school system.

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#### PHILADELPHIA

By MISS DORA KEEN, Secretary Public Education Association of Philadelphia.

I. *Progress.*—The public school exhibit of Philadelphia has been awarded honors at the Louisiana Purchase Exposition, and the inference has naturally been drawn that Philadelphia may congratulate herself on the excellence of her public schools. It is true that great progress has been made within the last twenty-five years, and that even within a year the advance made has been appreciable.

The appropriations to the schools have been increased, and the discrepancies between the amounts asked and the amounts received have decreased. Teachers' salaries have been slightly raised. School accommodations have been largely augmented. The revised compulsory education law of 1901 has been of great benefit, and although not yet fully enforced is constantly gaining respect and obedience to its provisions. Enforcement of school attendance for all children has led to recognition of the special needs of some, and in consequence ten special schools for truant and incorrigible children and six separate classes for backward children have been opened, all since 1898.

Attention has been drawn to the health conditions of school children, and both improved handling and medical supervision have resulted, with consequent improvement in health and in school attendance. Physical training has become a daily exercise. Fifty physicians are daily excluding from the four hundred schools contagious and other cases serious enough to warrant it, and soon it is expected that school nurses will be appointed to see that children receive the attention needed and are absent from school for as short a time as possible.

The high schools have made progress, in that two evening high schools have been opened, one for each sex; in that high school graduates pursuing higher studies have made excellent records at entrance to college and have sustained them; lastly, in that a progressive policy has practically been adopted of establishing additional high schools in various districts of the city, and providing in them for both sexes and for three types of courses: general, industrial and commercial.

In the way of industrial education, Philadelphia led with her two manual training high schools. In elementary grades there has for some time been cooking and sewing for girls, sloyd and other elementary manual training in one school in the foreign quarter and for all of the truant and incorrigible and the backward children. Two school gardens were opened last summer, in addition to the annually increasing number of vacation schools and playgrounds for children of various ages.

Kindergartens and scholarships have made free education available from four years old through college and professional schools. The latest advance is the formation of a teachers' association, which has addressed itself to the improvement of the system, and has in consequence been invited to a conference by the association of the forty-two sectional school boards, whose main function is the election of teachers.

II. *Unsatisfactory Conditions.*—The bare mention of what is yet lacking in the schools, on the other hand, will show urgent need for still further progress. Whatever can be said of satisfactory conditions, unsatisfactory conditions prevail in many serious respects.

New school houses do not go up as fast as new homes, so that spasmodic expenditures have to be made every few years, when public opinion demands that school accommodations catch up with the regularly increasing school population. Overcrowding is a chronic condition in the schools of the foreign or southeast part of the city. Some of the overcrowded schools could send surplus children to vacant sittings close at hand, but ward lines prevent. Nor can old schools not in good repair, ill adapted rented buildings, and children attending on part time or with numbers often above sixty, sometimes one hundred and twelve, in a room, be looked upon as fair conditions under which to expect teachers to give what is to many children their only training for life.

Supplies are late in reaching the schools and insufficient. The relation of the Board of Public Education to Councils is one of constant friction, bordering on mutual distrust. Salaries of teachers are low, in spite of recent increases; hence there is a dearth of teachers. One hundred and twenty substitutes are needed daily; only sixty are available. The number of pupils wishing to attend high schools makes it regrettable that the four district high schools needed cannot be built and equipped at once. Children are obliged to play in the streets outside of closed school yards for lack of janitors to keep the yards open all day and yet under supervision. School gardens are needed in every part of the city. Progress in the education of backward children is stationary for lack of means to open new classes and thus permit grading. Manual training should be a regular part of the grammar grade course.



And for all of the above facts lack of money is responsible.

Deplorable as is this recital of want, money is not the only lack, the system is also unsatisfactory: (1) in that the legislative authority is sectional in its constitution, and therefore not always able to legislate for the best good of the city as a whole; (2) in that the executive authority is vested in committees, whose decisions are subject to modification or limitation by Councils, as, for instance, in the division of the money and by the forty-two sectional boards, as in the placing of both teachers and pupils. Moreover, committees of the board, however self-sacrificing, cannot be expected to produce the same results as highly salaried experts could give. (3) The system is also unsatisfactory in that not only the legislative and the executive powers of the Board of Public Education are insufficient, but also its financial powers. The board cannot predict nor even itself divide its income. (4) The constitution of the sectional boards is unsatisfactory alike to Councils, who are subject to their influence independent of the solicitations of the general board, to the sectional school directors themselves, who are impatient of their lack of voice in the real control, and to the Board of Public Education, which finds its would-be actions constantly limited by the very existence of these boards. In consequence of this unwieldy school organization, teachers are elected on no uniform plan, and appointments are subject to much influence other than that of the superintendent of schools. Lastly, the enforcement of the compulsory education suffers for lack of a state parental school with an alternate boarding-out plan, and for lack of up-to-date child labor legislation.

III. CONCLUSIONS.—In so far as the school conditions in Philadelphia to-day are satisfactory, the outside influence of public opinion has been to a considerable extent responsible. In so far as conditions are unsatisfactory, the fault lies in the impossibility of fixing responsibility. This in turn is due to the size and sectional composition of the Board of Public Education; to its method of executing its plans through committees of the board, instead of through salaried superintendents (of instruction, buildings, supplies and finances), and even more to the board's lack of unhampered authority. To follow up the links in the chain of excuses for our schools, the inability to fix responsibility and the lack of employment of expert knowledge in expenditures are the causes of whatever distrust exists between Councils and the Board. Finally, to this distrust is chiefly due the curb ever exercised by Councils over the apportionment of money to the schools.

IV. *The Remedy*.—The clear need of the Philadelphia schools is, therefore, a change of system, such as to permit of:

1. Centralized authority in the Board of Public Education, whose responsibilities will then be definite.
2. Certainty as to the amount and sufficiency of the income of the board, whose money would probably be given not only unitemized, in a lump sum, but very freely, were it possible to make the board absolutely responsible.
3. Execution of all policies and general decisions by expert employees, in order to impart efficiency and confidence.

V. *Method of Carrying Remedy into Effect*.—The effect of the above suggestions would, of course, be a new school system, which would best be

constituted upon the lines laid down by President Charles W. Eliot as "A Good Urban School Organization":

1. A board (of seven), chosen at large, one each year, for long (seven year) terms, either appointed by the Mayor or elected. Function: to determine policies and make important decisions.

2. Four experts empowered with all executive work: A superintendent of instruction; a superintendent of buildings; a superintendent of supplies; a superintendent of finances.

3. A definite proportion of the taxes on the total assessed valuation of the city; if the Board of Public Education be appointive, the same to be assigned in bulk, by the law, to the board. Independent powers of taxation, if the board be elective.

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### BOSTON

By THORNTON D. APOLLONIO, Secretary Boston School Committee.

The public schools of the city of Boston are under the supervision and control of a School Committee consisting of twenty-four members, eight of whom are elected at large at the municipal election each year for three-year terms and serve without compensation. Both men and women are eligible for service.

The School Committee elects a Superintendent, a Board of Supervisors, consisting of six members, and all principals and other instructors, as well as janitors and engineers employed in the public schools, and may remove them at pleasure. It fixes the compensation of all its employees, and has full authority with reference to the curriculum. It is not responsible for its acts to the Mayor or either branch of the City Council, excepting that all its votes involving the expenditure of money must be submitted to the Mayor for his approval.

The School Committee each year may make an appropriation in one sum for constructing and furnishing new school buildings, including the taking of land therefor and for school yards, and the preparing of school yards for use, and may also make an appropriation in one sum for repairs and alterations of school buildings, and may make such other appropriations by items for the support of the public schools as it deems necessary. The total amount to be used in any one year for the public schools of the city and their support, in addition to the money which may be given therefor, the income collected, the balance of appropriations of years preceding such year, shall not exceed an amount equal to three dollars and forty cents, upon each one thousand dollars of the valuation on which the appropriations of the City Council are based; and the amount which may so be raised shall be appropriated by the School Committee as aforesaid, and shall be a part of and be met by taxes within the tax limit; and of said amount of three dollars and forty cents not less than forty cents upon every such one thousand dollars shall be appropriated solely for new school buildings, lands, yards and furnishings as aforesaid, and not less than twenty-five cents upon every such

one thousand dollars shall be appropriated solely for repairs and alterations of school buildings.

The obtaining of sites and the construction of new school buildings, the repair and maintenance of old buildings, and the providing of temporary accommodations are under the control of a Board of Schoolhouse Commissioners consisting of three members appointed by the Mayor, and not subject to confirmation by either branch of the City Council. The members of this board receive a salary of \$3,500 per annum, the chairman \$4,000. Although the School Committee has authority to appropriate, subject to the approval of the Mayor, an amount not exceeding forty cents of each \$1,000 of the average valuation of the city for new school accommodations, it has not yet exercised this authority, but the expenses of sites and new buildings have been met from loans authorized by the legislature and issued by the city of Boston.

There are practically no children excluded from school on account of the lack of accommodations, although a considerable number are housed in rented buildings, and halls and other apartments of school buildings not intended for class-room purposes.

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#### BALTIMORE

By HUGH S. HANNA, Johns Hopkins University, Baltimore, Md.

Of the many excellent changes introduced into the government of the city by the new charter of 1898, none has been more productive of good or more promising for the future than the radical change made in the administration of the public schools. New life, new ideas, were injected into a department, which, under the evils of a spoils administration, had long remained in a condition of inertia and inefficiency, despite sporadic attempts at reform. The six years since elapsing have been insufficient to test thoroughly the adequacy of the new program, but, aside from any actual improvements, there has been such a popular awakening to the possibilities of the new methods of education, there has been set such an entirely new tone and standard, as will prevent, at least for years, a backward movement.

The new charter places the complete direction of the Department of Education in the hands of an unsalaried board of nine school commissioners. Their appointment is made by the Mayor, with the confirmation of the higher branch of the City Council, for a period of six years, three retiring every two years, and like other city appointees they are irremovable after six months, except upon definite charges preferred and after due trial. The charter directs minority representation upon all other city commissions, but in the selection of the School Board it is expressly declared that "party ties shall not be regarded." Such a provision has, of course, little importance, other than a certain moral weight; but its object was secured by the then Mayor, whose excellent appointments set a standard which public opinion will cause to be respected. For the immediate supervision of the schools the board appoints a superintendent of public instruction, with six or more assistants. It is their



duty to attend to all routine matters of administration, to make suggestions as to the course of studies and general government and to carry out the directions of the board. An effort is made towards securing local interest in and oversight of the public schools by the appointment of one or more unpaid visitors for each school chosen from the residents of the neighborhood. They are directed to visit periodically their assigned schools and to report upon their condition, with any recommendations or complaints made to them by the parents or residents of the district.

The staff of the high schools and technical schools is appointed directly by the board, but in selecting teachers for the other schools it is authorized to act only upon recommendations made to it by the superintendent. He, with his assistants, lists all candidates for the position of teacher according to their relative merit, as shown by competitive examinations. From these graded lists the board must confirm or reject the candidates in the order in which the names appear.

The board has practically no original financial powers. It submits annually an estimate of the probable expenditures for the coming year to the City Board of Estimates, who, after passing upon such estimate, send it to the council for final action. The council may reduce, but cannot increase, the amounts fixed by the Board of Estimates. In the expenditure of the sum granted the School Board has some little discretion. It may fix the salaries of the teachers and other employees, provided the aggregate appropriation is not exceeded. Also, whenever the construction of new school houses or the reconstruction of old ones is authorized, the building inspector must regard the instructions of the board in drawing up his plans, and no plans can be finally adopted without its approval. All supplies for the schools, such as text-books, stationery and furniture, are purchased by the board only after proposals have been publicly offered for competitive bidding.

The school accommodation is not adequate; no applicants are actually turned away, but it is necessary to reduce the school hours in certain cases in order to permit of accommodating two sets of pupils. This, however, is limited to the lowest grades, where it is probably an actual benefit to have the study time of very young pupils reduced. The annual increase in school attendance averages about fifteen hundred, which calls for three new twenty-room school houses every two years. It is always difficult to convince the taxpayer and the council of the necessity of this continuous increase, and it is almost inevitable, in a growing city, that the school accommodation should lag behind the increase in population.

The most important changes introduced by the new administration have been: (1) The institution of the "group" system in the organization of the schools, thereby placing responsibility upon the shoulders of a few; (2) The use of the "grading" principle in the class-rooms, thus doing away with the old hide-bound rule of one year to one class; (3) The progressive raising of salaries, so far as possible with the appropriations made; (4) The founding of a training school for teachers, intended primarily for the instruction of present and prospective teachers in the art of pedagogy. This attempt to raise the general ability of the staff has been supplemented by the establish-

ment of special courses for teachers at the Johns Hopkins University. These courses cover both the literary and scientific field, are very comprehensive in scope, and are followed by a very large proportion of local teachers.

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### CLEVELAND

By F. E. STEVENS, Secretary Municipal Association of Cleveland.

The form of government for the public schools of Cleveland was materially changed at the last session of the General Assembly of the State. For more than twelve years the schools have been governed by the provisions of a law known as the "Federal Plan," which contemplated a centralization of authority and responsibility, with complete separation of the executive and strictly educational departments. This form of administration gave general satisfaction and resulted in a management of school affairs divorced from political control or influence.

The new code is now partially operative and will become entirely so on the 1st of January, 1905. The form of school government here described is that which is about to be applied. Executive authority is vested in a Board of Education composed of seven members, five of whom are chosen at large and two from districts or sub-divisions of school territory. No relation exists between this board and the Municipal Council or Mayor.

The board has entire control of the disposition of funds collected by taxation for school purposes. Its estimate of the tax necessary for the maintenance of the schools is, however, subject to revision by a body known as the Tax Commission, which has supervisory authority over the levying of taxes for school and municipal purposes. The board determines the number of schools needed. It establishes the curriculum and selects text-books. Teachers are appointed by the superintendent, subject to the approval of the board. They cannot be appointed for a term exceeding four years nor for less than one year. A teacher may not be removed before the expiration of the term of appointment, excepting upon charges preferred in writing and by a majority vote of the board.

During the past two years a great improvement has been effected in school accommodations. Prior to this time a number of basement rooms were necessary, but by the beginning of the year 1905 all of these rooms will have been abandoned and there will be adequate accommodations for the pupils in sanitary, well-lighted rooms.

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### BUFFALO

By PROF. A. C. RICHARDSON, Buffalo, N. Y.

There is no Board of Education or "School Committee" in Buffalo. The nearest thing to it is the Board of Aldermen's Committee on Schools; which, however, has no executive functions, but merely considers and reports on ordinances relating to the public schools, just like any other standing com-

mittee of a legislative body. All matters relating to the schools are regulated by the provisions of the city charter and the ordinances passed by the City Council in accordance therewith. Even a change of text-books has to be authorized by the Council; which also has power to regulate the curriculum, but does not use the power, preferring to leave it to the superintendent.

The executive head of the department is the Superintendent of Public Instruction, who is elected by the people at large every four years. He recommends the course of study and other legislation; selects new teachers, and appoints them for the time and at the compensation established by ordinance. He may also dismiss a teacher upon charges, after a hearing and with the concurrence of the Mayor. As teachers are now engaged by annual contract, he may also practically remove a teacher at the end of a year by simply refusing her a new contract, and this is the course usually taken in case of an undesirable teacher. He also appoints the secretary of the department, who must be conversant with the German language, and who is also supervisor of the teaching of German.

As the superintendent is elected, it would seem as if the department would be wholly controlled by politics. This, however, is very largely, if not wholly, prevented by a section of the city charter, which establishes a Board of School Examiners. These are five in number, and are appointed by the Mayor for terms of five years, one member retiring each year. Their principal duty is to conduct examinations for the position of teacher in the public schools. The superintendent prescribes the subjects, scope and limits of these examinations, but the Board of Examiners alone conducts them and marks and grades the papers, besides preparing the questions. The examinations are held once in six months, and are conducted in the same manner as civil service examinations. Those who pass with a grade of 70 per cent. or more are placed on the eligible list, and no person not on the list can be appointed. All appointments are on probation for six months. Thus the examining power and the appointing power are in different hands.

Further protection for the city against incompetent teachers, and for the superintendent against political pressure, is provided by a recent regulation which enacts that no person can even enter the examination for teachers who does not possess one of the following qualifications:

For a high school teacher's certificate:

(a) Graduation from an approved college, and graduation from a pedagogical course in a university or college, or in lieu of graduation from such pedagogical course, one year's experience in teaching.

(b) A state normal school diploma and three years' experience in teaching.

(c) A high school diploma together with graduation from a teachers' training school, and also three years' experience in teaching.

Candidates for a certificate in free hand and mechanical drawing, in the commercial department and in physical training and elocution must be graduates of some approved technical or training school, and must have had three years' experience in teaching.

For a grammar and primary school principal's certificate:



Candidates for this certificate must be twenty-one years of age and possess one of the following qualifications:

(a) Graduation from an approved college and graduation from a pedagogical course in a university or college, or in lieu of graduation from such pedagogical course, five years' successful experience as teacher or principal.

(b) A state normal school diploma and five years of successful experience as teacher or principal.

(c) A high school diploma, together with graduation from a teachers' training school, and also five years' successful experience as teacher or principal.

For an assistant teacher's certificate:

Applicants, at the time of examination, must be at least nineteen years of age. They must also have one of the following qualifications:

(a) Graduation from a state normal school, or

(b) Graduation from a high school or academy having a course of study of not less than three years, or from some institution of learning of equal or higher standing, approved by the State Superintendent of Public Instruction, and, subsequently to such graduation, graduation from a school or class for the professional training of teachers, having a course of study of not less than thirty-eight weeks, and approved by the State Superintendent of Public Instruction, or, in lieu of such special training, successful experience in teaching for at least three years.

The requirement for a high school certificate is established by the Board of School Examiners; that for the other two by a law of the state.

Besides conducting the above-described examinations, the board is charged with the duty of visiting every school in the city at least once a year, and making a report upon its condition, both in the physical and educational sense.

Considerable progress has been made in the last ten years in providing adequate accommodations for the ever-growing school population; yet some of the existing school-houses are badly overcrowded, and in some districts it is necessary to use rented buildings, which, of course, are never suitable for the purpose and are at best a makeshift. The city is permitted by a law passed in 1902 to raise \$600,000 by issuing bonds for the erection of school buildings; of which, however, no more than \$150,000 can be issued in any one year. Then there is a "Consolidated School Fund" of \$150,000 a year in addition, which may be used for construction and repair. We have pretty nearly "caught up," yet it seems likely that there will always be crowding in some parts of the city, as the population is constantly growing.

Election by popular vote is no doubt a far from ideal method of choosing the head of an educational department, but it has worked so well in Buffalo during the past twelve years that it is doubtful whether the people would favor a change. The present superintendent was chosen in 1893, and he made so good a record and effected such great improvement in the schools that he has been twice re-elected and is now serving his third term. Thus the good sense of the people has enabled him to carry out a continuous policy

of improvement, in which he has been, on the whole, well supported both by the people and by the teachers. He is assisted by a supervisor of primary grades and another of grammar grades, and teachers' meetings are held periodically for discussion of professional subjects—a practice unknown before his time. Manual training and sewing have been introduced into the course, and have met with great favor and success. He is now urging that cooking and domestic science be also introduced, and this will probably be done soon. Kindergartens have also been established as fast as funds could be procured, and the grammar-school course has been reduced from ten years to nine. As the work of the ninth grade is practically equivalent to that of the first high-school year, the grammar-school course will probably soon end with the eighth grade. Two new high schools have been erected within ten years, only to be crowded to the doors the first day they were opened.

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### CINCINNATI

BY MAX B. MAY, Cincinnati, Ohio.

The change in the policy of the Supreme Court of Ohio which compelled the adoption of a new municipal code for the State of Ohio in order to bring about uniform legislation, compelled the legislature last year likewise to adopt a new school code for the government of schools.

As stated in a former communication in *THE ANNALS*, the measure that was finally adopted by the legislature was a compromise one. It provided that the then existing school boards should decide for each city whether or not it would have a large Board of Education or a small Board of Education. The Board of Education of the city of Cincinnati yielding to the dictation of the dominant party organization, divided the city into twenty-four school districts, and provided in addition to a member from each district that there should be elected three members at large, twenty-seven members in all.

The act likewise provided that members for the School Board should be elected on a separate ticket, and that nominations might be made by petition, and the names of the candidates may appear under the head or emblem of several parties and is not restricted to appearing on the ballot once, as in the case of the general election law. Members of the board are elected for four years. The School Board has no relation whatsoever to the Municipal Council or the Mayor. It may levy taxes for school purposes at a rate not to exceed twelve mills on the dollar of valuation of taxable property in the school district. Such levy must be divided by the board into four funds, namely, tuition fund, building, contingent fund and bonds, interest and sinking fund.

In the city of Cincinnati the levy, before it becomes effective, must be submitted to the Board of Review of the city, which board has power to approve or reduce the levy, and a greater tax may be authorized if submitted to the vote of the people. In the city of Cincinnati it is immaterial, as far as practical purposes are concerned, how large a levy the Board of Education

makes, for the reason that its action is subject to review by the Board of Reviews, which is in control of the political machine, whose policy heretofore has been to cut down the levy of the Board of Education, so that the general tax rate throughout the city and county can be kept within proper limits; political capital being made out of the low tax rate. The board has absolute power in determining the number of schools. In reference to the curriculum, it has been the custom of the Board of Education heretofore to approve of the curriculum as submitted to it by its Superintendent of Schools. What the policy of the new board will be, of course, cannot be told at this time. Undoubtedly the superintendent will be given large discretion in the matter of curriculum. The Board of Education elects the superintendent, who shall hold office for a term of five years, and this Superintendent of Schools is vested with authority to make appointments of teachers, by and with the consent of the Board of Education, who shall hold office for a term of four years.

The superintendent has power to suspend any person appointed by him, but no person so suspended shall be dismissed by the board unless for inefficiency, neglect of duty, immorality or improper conduct, nor shall any dismissal take place unless the charges are first reduced to writing, and opportunity is given for defense before the board or a committee thereof, and a majority of the full membership of the board vote upon roll call in favor of such dismissal.

Within the city proper there are ample school accommodations. In fact, many of the school buildings have vacant rooms. This is due to the fact that there has been a shifting of the population of the city; many families having moved to the suburbs within the past five years or more. This renewal or change of population has caused inconvenience in the hill-top schools, and many of these are now overcrowded and there is a movement on foot to build additional school buildings in the crowded suburbs.

The election of the new School Board occurred last November. The contest in some of the school districts was very close, and the Citizens' Municipal Party rendered great service to the citizens in general, in calling attention to the neglect of the schools and to the refusal of the Board of Education to levy money sufficient to make the necessary repairs in existing school buildings, or to provide funds for the building of new schools where most needed. Though the candidates of the Citizens' Municipal Party were not successful, except in one or two school districts, still the citizens of Cincinnati have had their attention called to the conditions of the Cincinnati schools, and it seems to be admitted on all hands that the new School Board, which will take office in January, 1905, will pay more attention to the needs of the schools than ever before.

Many of the public bodies of the city have demanded the building of a new high school, and the introduction of manual training into the Cincinnati school system; also the establishment of kindergartens and of commercial courses in high schools. In all probability, when the School Board just elected is called upon to make a levy for the schools for the year 1905 and 1906, the board will make an increased levy, and throw the responsibility upon the



Board of Review, and the dominant political organization if the levy is reduced to such an extent to provide the necessary improvements.

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## PITTSBURG

By EDWIN Z. SMITH, Pittsburg, Pa.

The city of Pittsburg constitutes an independent school district. It is divided into thirty-nine sub-districts, which are generally, though not in all cases, coincident in area with the thirty-eight municipal wards. Each sub-district is administered by a board of six directors, two of whom are elected annually. This board is empowered to levy a local tax; to elect teachers; to purchase grounds; to erect school buildings; to provide school equipments; to employ janitors; to perform all duties necessary for the maintenance of the schools, except paying teachers and providing pupils with text-books, stationery, etc.

The Central Board of Education is composed of thirty-nine members, one elected every three years by each of the sub-district boards, who may or may not be a member of the sub-district board. It is empowered to fix and pay the salaries of all teachers; adopt the course of study for all schools; has entire control of the high school; establishes and maintains manual training and other auxiliary schools; supplies free books, stationery, etc., to all pupils; makes its own estimate of annual expenses, which is submitted to the City Councils and must become part of the general municipal budget.

The superintendent of schools is the professional head of the school system. He is elected every three years by the sub-district directors. The director of high schools is at the head of the high school. He is elected annually by the Central Board. A principal, elected by the directors of each sub-district, is at the head of the schools of each sub-district. Assistant principals are elected in each sub-district. The population of Pittsburg (census of 1900) is 321,616. There are three high school buildings and eighty-four sub-district buildings. Within the past two years the courses of study in the elementary and high schools have been revised and several very fine modern school buildings have been erected. However, we may quote from the last annual report of the city superintendent: "It is becoming increasingly evident that the schools of Pittsburg are outgrowing the organization which they have been working under for many years. This is especially shown in the lack of co-ordination and unification of the instruction in many departments, which makes much of the work fail of its best results."

The chief defects of the present organization are:

The division of authority by means of central and sub-district boards.

The election of teachers by local boards, and

The lack of co-operation which prevents the course of study from being carried out in a uniform manner throughout all the schools.

In 1904 there were thirty-five kindergartens and ten vacation schools supported in part by the Central Board of Education.

## NEW ORLEANS

By JAMES J. McLOUGHLIN, New Orleans, La.

The New Orleans city government has no educational department; the public schools are under the control of the "Board of Directors of the Public Schools of New Orleans," which board is a corporation created by an act of the legislature. This board is composed of twenty members, twelve of whom are elected by the City Council (the municipal legislative body) of New Orleans, and the other eight are appointed by the State Board of Education of Louisiana. By a system of classification, the members are appointed or elected in such a manner that only one-fourth of their number go out every year, so that the majority of the board is always composed of older members.

The board has full control of the school fund and its distribution, and is not responsible to the Council or Mayor or under any municipal control whatever. The funds of the board are provided by the legislature and constitutional provisions. The city government appropriates very little to the fund, although the funds come mainly from the taxpayers of New Orleans. This is done by an ingenious system. The city of New Orleans levies a tax of 1 per cent. upon all property, real and personal, which is called a public debt tax. Only about one-half of this tax is really required for the debt, and the other half, the surplus, is divided equally between the public schools and public improvement. The amount received therefrom constitutes the main source of revenue for public schools. In 1904 it amounted to \$300,000.

The state levies a school tax of one and three-fourths mills upon the assessed value of all property, and this is distributed ratably amongst all the parishes (counties) according to the number of children of school age. From that source the board received during 1904 the sum of \$93,000. Besides this, a poll tax of \$1 is levied upon each voter, which goes to the schools of the parish in which the tax is collected. The amount from this source during the year 1904 is estimated at \$25,000. In addition to the foregoing the board received a direct appropriation from the city of New Orleans during the year 1904 of \$124,120; this under constitutional mandate at eight-tenth mill on assessment roll. The board's total revenue for 1904 was about \$550,000, or about \$2 per capita of the city's population. All this money is turned over to the board, which has absolute and unlimited power to disburse the same, subject, of course, to the state laws governing education. With the sole restriction that it shall not exceed its income, it has the power of determining the number, capacity and location of all the schools.

The books to be used in the public schools are selected by the State School Board. With the provision that only these books can be used, the City School Board can enforce any curriculum it sees fit. The teachers are appointed under a civil service law, after a competitive examination, and under the law are appointed for one year only. But in practice they hold office for life, or during good behavior. The force is re-elected each year. The School Board does all the electing and removing of teachers, and also prescribes the character of examination for teachers.

There is only one School Board in the city of New Orleans and that is the Central Board of twenty members, and there are no subordinate bodies.

The executive management of the schools is entrusted to one chief superintendent and two assistants, all chosen by the board and removable by it.

The school accommodations are entirely inadequate. We have 26,000 white and 5,000 colored children in our public schools, and there are still 30,000 white and 10,000 colored children out of school, for whom accommodations should be provided. We have sixty-three school buildings for the white children and nine school buildings for the colored children. About two or three buildings are added each year. From all of which it will be seen that, while the provision made by New Orleans for local education is woefully deficient, yet it indicates improvement. Our public school system is supplemented by many private and parochial schools, the Roman Catholic Schools alone counting over 10,000 pupils. In the higher schools we have Tulane University and four well-endowed or supported negro universities, to-wit, Straight University, Leland University, Southern University and New Orleans University. These universities are well attended, and they afford fitting capstones to the system of lower schools.

One great want is a system of normal education that will prepare teachers for the colored pupils in the grammar and primary schools. There is a normal school, under the City School Board, for white teachers, while the colored universities are relied upon to furnish the negro teachers; but so far with little success, as the School Board is as yet unable to find colored teachers in sufficient numbers to fill the places waiting for them. We have three high schools for white children, but none for colored; but this does not deprive the colored children of that system, as the various negro universities supply the need.

Our present School Board is active and efficient, and conducts its work upon liberal educational lines, and, with increasing income from the natural increase in taxable property in this community, will no doubt afford increased accommodations and facilities for the education of the children of New Orleans.

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### MILWAUKEE

By JOHN A. BUTLER, Milwaukee, Wis.

Prior to 1897 the public schools of Milwaukee were largely under the control of politicians. In that year the Municipal League of Milwaukee drafted a bill which was enacted into legislation and placed the city schools on a new basis. The efforts of the late William Geuder, Esq. (whose public spirit and ability, as well as his service as president of the School Board for several terms, secured him an invitation to act as a member of the committee which was entrusted with the drafting of the bill) contributed greatly to its passage. Pursuant to that legislation, Chapter 186, Laws of 1897, the Milwaukee schools are now under the "General management, control and supervision of a Board of School Directors consisting of one director from each ward . . . to be appointed" as follows: "All appointments of members of the Board of School Directors . . . shall be made by a commission consisting of four



citizens of suitable character and education, who shall be appointed by the Mayor of the city as hereinafter provided. Not more than two of the members of such commission shall, at the time of their appointment, belong to the same political party; and no person holding any office in any political organization or any lucrative city, county or state office, other than a judicial office or that of notary public, shall be eligible to be a member of such commission or of such Board of School Directors." The commissioners are appointed for one, two, three and four year terms in a reverse order, and the annual vacancy is filled by an appointment for a four years' term. The commission elects its own officers, and, after dividing the wards of the city into three classes, appoints one school director from each ward; those representing the wards in the first class to serve for three years; those representing wards of the second class to serve two years, and those representing wards of the third class to serve one year. Subsequently the commission appoints annually successors of directors whose terms expire by limitation, such directors to hold office for three years. The board thus constituted is authorized and required to establish and organize as many schools in addition to those already in existence as are necessary for the accommodation of pupils entitled by the laws of the state to instruction. It may also erect, purchase or hire necessary school buildings and improve or enlarge the same, and purchase furniture and lots for the accommodation of the schools, but the selection of sites for school buildings and the adoption of plans shall be determined by a statutory committee consisting of the city engineer, the president of Common Council, the superintendent of schools, the president of the Board of School Directors and the chairman of the board's Committee on Buildings. Their decision shall be subject to the approval of the board. "The decisions of this committee in the selection of sites and plans shall, when thus approved, be reported to the Common Council, but shall not be modified or amended by said Common Council, except as to the amount of money appropriated for the execution of the work, the purchase of sites or for the fulfilment of contracts involved. . . . The school buildings now erected and the lots on which they are situated, and the lots now or hereafter purchased for school purposes, and the school houses erected thereon, shall be the property of the city, and no lot shall be purchased or leased, nor shall any school house be erected without an ordinance or resolution passed by the Common Council." By a rule of the board school sites can only be purchased after condemnation proceedings.

The School Board may fix or increase salaries and incur expense for various purposes, but only subject to the Mayor's veto, which may be overridden by a two-thirds vote of the board. Generally speaking, the board is confined to the use of funds voted by the Common Council, except that it controls the disbursement of an annual fund of about \$40,000 for necessary repairs. The janitors of school buildings are appointed and their compensation fixed by the board subject to the powers and regulations of the Civil Service Commission. "A committee consisting of the president and four members of the board selected by the president, shall examine, certificate, employ, classify and promote teachers,"

but the action of this committee "shall be subject to amendment and confirmation by the Board." The president and four members, selected by the president, shall constitute a committee to select and determine courses of study and the text-books to be used subject to the control of the board. The president and four members, selected by him as above, may, by a majority vote, dismiss teachers and janitors for misconduct, incompetency, inefficiency or inattention to duty, subject to amendment, rejection or confirmation by the board. The board has the power to select and adopt school-books, but said books shall be uniform in the various schools, and when the board shall have adopted any such book or books, the same shall not be changed for a period of five years thereafter. The board shall require that the system of instruction in the several schools shall be as nearly uniform as possible, "and shall adopt, at its discretion, and modify or repeal by-laws, rules and regulations for its own government, and for the organization, discipline and management of the schools under its control, and generally adopt such measures as shall promote the good order and public usefulness of said schools," subject to the constitution and laws of the state.

"The superintendent of schools shall, under the direction of the Board of School Directors, have a general supervision of the public schools . . . and of the manner of conducting and grading them and of the teachers. He shall appoint, subject to confirmation by the board, an assistant superintendent and such other assistants and supervisors as may be authorized by the board," provided that the creation of any new office or the increasing of any salary of any officer, teacher or employee by the said Board of School Directors shall, after the adoption of any resolution therefor, be submitted to the Mayor . . . who may exercise the veto power with respect thereto in the same manner and with like effect as he now may exercise such power with respect to resolutions of the Common Council." In the appointment and removal of teachers, school superintendent and the secretary of the board, its powers are absolute. There are no subordinate boards. The city is supplied with excellent school buildings, but with the rapidly increasing population, it cannot be said that the accommodations are always adequate, but they are, on the other hand, not notably inadequate. The city has at present four high schools of an admirable character, a well-distributed system of ward schools and primary schools, and a day school for the deaf, in which the lip-reading system is taught. This interesting institution has **over fifty** pupils and it graduates teachers from its normal department.

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#### WASHINGTON, D. C.

By GEORGE S. WILSON, Secretary Board of Charities, Washington, D. C.

The administration of the public school system of the District of Columbia is entrusted to a Board of Education, consisting of seven members, appointed by the Commissioners of the District of Columbia. These members serve for seven years, and the terms of service are so arranged that the term of

one member expires each year. The members are allowed a compensation of "ten dollars each for personal attendance at each meeting"; but the compensation for any member shall not exceed \$500 per annum. The general authority of this board is set forth in the law as follows: "The board shall have complete jurisdiction over all administrative matters connected with the public schools of the District of Columbia, except that all expenditures of public funds for such school purposes shall be made and accounted for as now provided by law under the direction and control of the Commissioners of the District of Columbia."

The board annually transmits to the Commissioners of the District of Columbia an estimate of the amount of money required for the public schools, and this estimate is transmitted to Congress with such recommendations as the Commissioners deem proper. The board is limited in its financial transactions by appropriations of Congress. In reference to the number of schools, the board can only recommend that new schools be provided and urge its recommendations before the appropriation committees. The actual establishment of new schools must be specifically provided for by Congressional appropriation. The board, with the aid of the superintendent, determines the curriculum. The law provides that "the superintendent shall annually submit to the board for its approval the course of studies and list of text-books and other apparatus to be used in said schools."

The board has full power of appointment and removal of all officers, teachers and other employees connected with the public schools, from the superintendent to the janitor. The only limitation with reference to appointments is "that the graduates of the normal schools shall have preference in all cases when appointments of teachers for the grade schools are to be made." There are no local or sectional school boards in the District of Columbia, but a distinction is made between schools for colored children and schools for white children. White children are not permitted to attend schools for colored children; nor are colored children permitted to attend schools for white children. This distinction obtains in the high schools, manual training schools and normal schools, as well as in the grade schools. The law does not mention the question of color with reference to the members of the School Board, but there have always been at least two members of the colored race on the School Board; but the law does provide in reference to the two assistant superintendents, that one of these superintendents "under the direction of the superintendent, shall have charge of schools for colored children."

The school accommodations are not adequate, though no child presented for admission is ever denied; but the limitations in school accommodations are such that it is necessary to have a number of half-day schools, and there are many children who ought to be in school that are not in attendance. There is no efficient truant law in the District. If there were such a law, properly enforced, the inadequacy of the present school accommodations would be much more apparent. Several new school buildings are provided annually. Last year, two additional buildings were authorized; but the growth in population more than keeps pace with the increase in school buildings.



The most important recent change in connection with the public school system of the District of Columbia was a provision for medical inspectors. The system of medical inspection of public schools was inaugurated in the school year beginning in the fall of 1903. These medical inspectors work under the direction of the health officer, according to rules formulated by him, but approved by the Board of Education and the Commissioners of the District of Columbia. The school system of the District, like other matters of municipal government, is free from the influences of partisan politics.

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### PROVIDENCE

By SIDNEY A. SHERMAN, PH. D., Providence, R. I.

The School Committee of Providence consists of thirty-three members, thirty of whom are chosen by wards, three from each of the ten wards, and three are members *ex-officio*. The latter are the Mayor, the president of the Common Council and the chairman of the Council Committee on Education.

Until within two years the executive authority of the board was exercised chiefly by sub-committees, but since that time it has been largely transferred to the superintendent. He is termed "the executive officer of the School Committee." As the committee included three members of the City Council, it is at all times open to suggestion by the latter, although, as a matter of fact, these three members do not regularly attend the meetings of the committee. The committee does not depend upon the council for its existence or for the election of its members, and as the latter serve without pay, it may be said to be in so far independent of the council. Financially, however, it is wholly dependent upon the council. All appropriations for schools are made by the council, and it is not bound by any state law to appropriate any minimum percentage of the total tax levy for school purposes. Each year the committee makes up its estimates of the amount needed for the next year and presents it to the council, which gives the committee as large a percentage of that amount as possible. The committee apportions the amount thus granted as its judgment dictates. The board can open new schools in buildings already in its control or leased by it, but it cannot build school houses. That is done by the council with a special appropriation. Its power over the curriculum is absolute, although indirectly the council might influence it by refusing appropriations for particular branches of instruction or departments of work, as it did in the case of summer schools recently. The appointment and removal of teachers is also completely in the hands of the committee. By state law, teachers must possess a state certificate, but there is no civil service law affecting appointment or tenure of office. The committee's by-laws, however, require college or normal school education, or three years' practical experience.

There are no local or sectional school boards as such, although the three members from each ward are supposed to be especially interested in the schools of their ward, and have at times in the past come near to dominating them. This ward system is, I believe, a relic of a former dis-

trict system, under which the districts were independent of each other in the old New England district system. School accommodations are, on the whole, adequate. Children are not kept out of school on account of lack of room, as in New York and some other cities. The last ten or twelve years have been an era of school-house building. Many primary, several grammar and three large high school buildings have been erected. Several important steps for the improvement of the service have been taken during the last two years. The superintendent, after one year's probation, holds office during good behavior, and can be removed only by a three-fifths vote at the regular meeting in June, or at any other meeting, for misdemeanor. No teacher can be elected by the committee who is not nominated by the superintendent from an approved list. He nominates all teachers. He makes all assignments and transfers of teachers, and may suspend or dismiss any teacher whose services are unnecessary or unsatisfactory. Thus, as far as possible, the board has delegated to him the power of appointment and removal of teachers, first having made him a permanent officer. The matter of text-books has been practically placed in the hands of a committee of teachers appointed by the School Committee. No book can be added to or taken from the list of authorized text-books without being first submitted to them. And while their advice in the matter may be disregarded by the board, there is no disposition on its part to do so. The secretary of the School Committee and also the superintendent of school buildings have a like tenure of office with the superintendent, being removable only by a three-fifths vote. About seven years ago the election of teachers was made permanent instead of being annual. These are the important changes for the better, and, although voluntary on the part of the committee, they are likely to be permanent.

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### KANSAS CITY

By HENRY L. McCUNE, Kansas City, Mo.

The executive authority of the educational system of Kansas City is vested in a Board of Education, composed of six members. The members of the board are elected by the qualified voters of the school district for terms of six years, two members being elected every two years. By common consent, the Kansas City School Board has for many years been entirely non-partisan. At each biennial city election each political party nominates one member of the board. As a result, each of the nominees of the two leading parties is always elected. This plan is a custom only, but is now firmly established. The members of the board receive no compensation. An election to the Board of Education is an honor bestowed only upon men of the highest standing in the community. The members are re-elected year after year, one member of the present board having served continuously twenty years. No difficulty has ever been experienced in getting good men to serve the city in this capacity.

The members of the School Board are officers of the school district and not of the city, and are therefore not related to the Mayor or City

Council. The board derives its authority from a state statute, which provides for the organization of school districts in cities having more than 50,000 and less than 300,000 inhabitants. This statute vests in the School Board the government and control of the school district. The board is authorized to appoint a secretary and treasurer, who are not members of the board, and may fix the salaries of these officers. The board has general supervision of the finances of the district. It is required to make out and forward annually to the county clerk an estimate of the amount necessary to maintain the schools for the year. School taxes are collected by the county collector and turned over by him to the treasurer of the school district. Funds are paid out by the treasurer upon warrants signed by the president and secretary of the board, and countersigned by the superintendent of schools, who is appointed by the board. The board has power to borrow money and issue bonds for the purpose of erecting school houses and public libraries, the consent of the voters having been first obtained at an election held for the purpose. The bonded indebtedness of the district is \$2,095,000. The assessed valuation of the property owned by the district is \$90,000,000, and the total rate of taxation for general purposes, interest and sinking fund is 9 mills. The Board of Education controls the curriculum and employs and removes teachers and designates text-books for use in the schools. Examinations for teachers' certificates are conducted by the superintendent of schools, assisted by a Board of Examiners appointed by the board. There are no local or sectional schools. Although new school buildings are being erected constantly, the schools are overcrowded and accommodations are inadequate. A new high school and manual training school for colored children is to be erected without delay.

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### GRAND RAPIDS

By DELOS F. WILCOX, Grand Rapids, Mich.

At the head of the school system is a Board of Education composed of twenty-five members, including the Mayor *ex-officio* and two trustees from each each of the twelve wards of the city. The trustees are elected at a special school election held in September. One trustee is chosen from each ward every year, the term of office being two years. There is a separate registration of electors for the school election. Women who have children of school age or taxable property are entitled to vote. In practice the taxable property limitation amounts to little, as any one who has a watch or a ring that might be taxed is considered qualified. The Board of Education has regular monthly meetings and has full control of the educational department. The Mayor has the same authority on the Board as any other member.

The board has an annual meeting in August, at which the budget for the ensuing year is made up. This budget is transmitted to the Common Council some time in September for approval or amendment. The budget is fixed as the Council determines, but if no action is taken by the first of October the budget will stand as prepared by the Board of Education. The



Council has nothing to do with controlling the expenditure of school funds after they are provided. Furthermore, a large part of the school funds is derived from the regular one-mill tax and the contributions of the state from its primary school fund. The Common Council has nothing to do with this part of the resources of the Board of Education. The only other control exercised by the Council is in the matter of issuing bonds. The Board of Education has no authority to issue bonds for the purchase of school sites and the construction of school buildings, except with the approval of the Common Council.

The Board of Education has full power to determine the number of schools and their location, to arrange the school districts, to establish the school curriculum and to appoint and remove school teachers. The Superintendent of Schools is elected annually by the board. He has only such authority as is given by the Board of Education under its rules. In practice the superintendent has the full control of the educational department, subject to the approval of the board. There is a standing committee on schools and teachers which consults with the superintendent and reports to the board matters pertaining to the educational department. There are no local or sectional school boards whatever, and no administrative committees for different school districts. It is true, however, that the two trustees from each ward generally constitute a *de facto* committee to look after the interests of the schools in their respective wards to a considerable extent. Occasionally their activity is pernicious.

The school accommodations are adequate for all the primary and grammar grades, although two or three of the buildings are now out of date and unsanitary. In fact, there has been no increase in the enrollment below the high school in the last six years. This seems to be due largely to the fact that more children are attending private and parochial schools. Last year, however, the growth of attendance at the high schools brought the Board of Education face to face with the apparent necessity of a new high school building or a large extension of existing high school accommodations. Out of this necessity arose an agitation for the extension of manual training to the high school grades, and the establishment of an independent high school fully equipped with commercial, manual training and domestic science courses. The Board of Education worked out a plan for the construction of the buildings needed and the reconstruction of the dilapidated grammar school buildings. This plan involved an expenditure of nearly \$300,000, of which the Board wished to raise \$200,000 during the present year. The question of bonding the city for that amount was twice submitted to the people for an advisory vote, first at the regular municipal election last spring, and again at the school election in September. On both occasions the bonding proposition was defeated by a decisive majority. The result of these abortive efforts must necessarily be a conservative policy, which is likely to prove, in the long run, detrimental to the interests of the schools and possibly more expensive than the plan that was rejected by the people.

There has been for some time a considerable agitation for the reorganization of the school department by reducing the size of the Board of Educa-

tion, by revising the school election law to throw adequate safeguards around the election of school trustees and by proving that the business of the schools shall be in charge of a business manager responsible to the board. At the present time it is difficult to say just how much progress has been made in crystallizing public opinion in favor of these improvements.

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## SEATTLE

By PROF. J. ALLEN SMITH, Seattle, Wash.

Every city in the State of Washington having 10,000 or more inhabitants is for school purposes a single district. The executive authority of the district is vested in a Board of Education consisting of five members, one or two of whom are elected each year for a term of three years. The Board of Directors can employ and "for cause" dismiss the city superintendent, the teachers, janitors and other employees. They can prescribe the courses of study, subject to the condition that they must conform to the state law and the requirements of the State Board of Education.

Under the law as it now stands text-books are to be selected by a text-book commission consisting of the city superintendent and four other persons appointed by the Board of Education, two of whom shall be members of the board and two teachers in the city schools. The board determines the location of all school buildings, and has full power to establish and maintain such grades and departments as it may deem necessary, including kindergarten, manual training and industrial and high schools. The Board of Education determines the amount of funds, in addition to the estimated receipts from the state tax, needed for the support of the schools, the purchase of school sites, the erection and furnishing of school buildings, etc., and reports the same annually to the county commissioners, who must levy and collect it. But in case the purchase of school sites and the erection of buildings shall require an expenditure of more than \$50,000 for one school year, it shall be submitted to a vote of the electors of the district.

The aggregate tax for school purposes for any one year shall not exceed 1 per cent. of the taxable property of the district, unless the board by unanimous vote of all its members determine upon a greater tax, which can in no case exceed 2 per cent. The board may borrow money and issue bonds therefor to an amount not exceeding 5 per cent. of the taxable property of the district. The question of issuing bonds must be ratified by the voters of the district, a majority being sufficient unless the contemplated issue should make the total outstanding debt of the district exceed  $1\frac{1}{2}$  per cent. of its taxable property, in which case a three-fifth majority in favor of the proposition is required. Women have the same right to vote as men at all school elections. The public school system of the city is entirely distinct from its municipal government, the latter having no control over it. It has been difficult, in fact almost impossible, for Seattle to provide school buildings fast enough to keep pace with the rapidly growing school population.

## DULUTH

By W. G. JOERNS, Duluth, Minn.

The "Educational System" within the corporate limits of the city of Duluth is by special legislative enactment under the exclusive control of the "Independent School District of the City of Duluth," which is known and designated by the corporate name of "The Board of Education of the City of Duluth." In it are vested all the powers and functions conferred by law upon the independent school district meetings, and it is entirely separate and distinct from and uncontrolled by the general city government.

The members of the Board of Education are nine in number, and are elected by popular vote at special school elections and are called "directors." At such elections women of the age of twenty-one years and upwards, who otherwise meet the requirements of legal voters, are allowed to vote, and they are also eligible "to hold any office pertaining solely to the management of public schools." The board elects its own officers, and the members thereof, except as they may happen to serve as clerk or treasurer, receive no compensation whatever for their services. In the board is also vested the exclusive power of appointment or removal of all subordinates, including teachers and superintendent, and it has power to fill vacancies in its own membership *ad interim*, and under certain contingencies and restrictions the power of removal over its own members. The superintendent is the executive officer of the board and *ex officio* a member thereof, but without the right to vote.

The board fixes the school tax levy, which is based on the general assessed valuation of the city, and is certified to by the county auditor and collected with the general taxes. At stated times the tax so collected is turned over to the board by the county treasurer. The board is by law limited to a maximum levy of eight mills for general purposes and to eight and one-half mills for building fund. There is no limit on the sinking fund levy. The board is likewise empowered to submit to popular vote at any general or at a special election the question of additional bond issues, and, except that it requires a two-thirds affirmative vote of the electorate and that the bonds shall not bear to exceed 6 per cent. interest and are not run more than thirty years, the powers of the board in this regard are unlimited. As a matter of fact the School Board is almost invariably composed of the best of our citizens, and the present tendency at least is in the direction of a wholesome economy consistent with a proper and progressive school management.

In addition to the regular revenue, the schools of Minnesota enjoy a special revenue from the state. The state school fund amounts at the present time to \$15,000,000, which is the product mainly of the sale or usufruct of state lands, timber and mineral rights. This principal sum cannot be invaded; but the income is applied for the benefit of the state school system, and a part thereof is annually distributed among the school districts of the state, the share of the Duluth district amounting to an average of from \$3 to \$5 per enrolled pupil. There is also a special high school grant from the state to such high schools of the first class as place themselves under the jurisdiction of the State High School Board and follow a prescribed curriculum.



The grant last year to the Duluth High School amounted to approximately \$1,500. The present bonded indebtedness of the Duluth school district is \$1,037,000, and as an offset to this the present school assets in buildings, sites, equipment, etc., are appraised at \$1,868,000.

Except as the power to issue bonds or levy taxes is circumscribed by the requirements above stated, the power of the board in determining the number of schools is practically unlimited. So also its powers with reference to curriculum and with reference to the appointment and removal of teachers are absolute. The teachers are elected annually, but it goes without saying that as to competent teachers this election is largely a matter of form. They are practically sure of re-election. Indeed, the aim is to reward meritorious service. To this end an increase of salary has been provided for, so that where the salaries of grade teachers two years ago ranged from \$45 to \$65 per month for the school year, the present maximum is \$75 per month. Grade principals and high school teachers receive a higher compensation, the high school principal receiving \$3,000 per annum, and the only male principal of the grade schools (a recent departure) being paid \$1,400 per annum. Length of service is considered as a substantial element in the fixing of salaries.

There are no local or sectional boards. The one Central Board is supreme and exclusive.

The school accommodations are fairly adequate, and, while at times in the past, with the rapid growth of the city, the facilities have been somewhat cramped, a laudable endeavor has been ever present to meet these contingencies as well and as promptly as possible. Duluth, with a population of about 75,000 and covering a territory approximately twenty-five miles long by an average of two miles wide, has at present thirty-one grade buildings and one central high school. The grade enrollment for 1903-04 was 11,438. The present high school enrollment is 753. The total number of grade teachers and principals, as given in the last annual report, was 277, the number of high school teachers (of which 10 are males) was 22. The cost per pupil for teachers' salaries on enrollment was \$16.06. The total cost per pupil on enrollment was \$28.59.

The Duluth school district is committed to the "free text-book system." While the initial expense was higher, reaching \$7,511.12 for the year 1900-01, the outlay for this purpose during the last school year was only \$3,372.07 or 27 cents for enrolled pupil. The plan is pronounced by the school authorities an unqualified success. Manual training is receiving prominent and increasing attention. At present industrial instruction is still confined to the high school, but the indications are that it will sooner or later be extended, in a limited form, to the grade schools. School libraries are being established. The establishment is aided by state enactment under which the state, under provided regulation, donates an amount equal to the local appropriation for this purpose. Last year's local appropriation in this regard, as also that of the year before, amounted to \$250.

A school savings bank system has been in operation for several years. It was introduced to inculcate habits of thrift and economy in the pupils and the results have proven quite satisfactory.

The modern tendency of education is toward the practical. This is also the policy of the Duluth authorities. The very able superintendent, who has filled his position for more than twenty years, is strongly committed to that policy. To that end increasing emphasis is laid on the importance of grounding the pupils thoroughly in the elementary subjects.

Great care is exercised in the selection of teachers. Once installed, particular attention is given to keeping them up to a high standard. Special courses of reading and study are outlined for the weekly teachers' meetings. Thus in the year 1901-02 the reading and study was along the line of civics, in the following year a course of history was outlined and this was followed in the last school year by a course in teaching of English and English history. In addition the usual practical results of teachers' meetings are sought to be obtained. A very satisfactory homogeneity as well as wholesome *esprit de corps* has thus been established.

## II. DEPARTMENT OF PHILANTHROPY, CHARITIES AND SOCIAL PROBLEMS

**Charity Organization Society of New York.**—The recent report of the New York Charity Organization Society is a most instructive discussion of the agencies, remedial, preventive and constructive, for the benefit of suffering humanity. It is a general survey of the whole field of philanthropic activity in New York. To quote from the report: "Every year, increasingly, the great charitable, reformatory and preventive social agencies are coming to regard themselves as integral parts of one whole, and are working with less of wasteful rivalry, and less of wasteful repetition of the mistakes of others towards one common end. In the division of work among themselves, in the promotion of needed reforms, in the defeat of ill-considered and injurious schemes of legislation, in an interchange of experience, in mutual understanding of the precise objects and methods of each, there has been extraordinary progress."

The two most important specific movements which have been set on foot by the society are perhaps the Tenement House Committee, on whose initiative the recent advanced legislation on this subject and the creation of the Tenement House Department in the municipal government were secured, and the Committee on the Prevention of Tuberculosis, which has enlisted the hearty support of the medical profession.

Among the notable events of the past year have been "the erection of new and much-needed buildings at City Hospital on Blackwell's Island; the establishment of cottages for aged couples in the Farm Colony of the Department of Public Charities on Staten Island; the opening of dispensaries at Bellevue and allied hospitals, and by the Board of Health, for the care of consumptives living at home; legislation for the establishment of a psychopathic hospital under the control of the State Commission in Lunacy; the awarding of contracts for the new Harlem and Fordham Hospitals, and a new wing at Gouverneur Hospital, and the announcement of plans for a new Bellevue Hospital; the inauguration of a movement for the removal of the House of Refuge from Randall's Island to a new site in the country; the establishment of a reformatory for young prisoners on Hart's Island, in the care of the Department of Correction. All of these and many other changes in the work of the city departments—mainly for the better—have been fully described as they have occurred in the pages of 'Charities.' The transformation of the Hudson Reformatory into an institution for girls; the better classification of the inmates of the reformatories for women, and the change by which girls are no longer to be sent to the House of Refuge or to the State Industrial School at Rochester, with the pending removal of the two latter institutions to new and more appropriate sites constitute on the whole a satisfactory advance in the reformatory system of the state."



The society has taken an active part in the movement for new parks and playgrounds. "Strong representations were made to the Board of Estimate and Apportionment in favor of the condemnation of the so-called 'lung-block,' but owing apparently to the opposition chiefly of a local politician and a local parish priest who feared the loss of constituents and parishioners, this plan was at least temporarily defeated." The society also took part in the administration of the Citizens' Relief Committee in connection with the "General Slocum" disaster. The society's enthusiasm over the gift of Mr. John T. Kennedy for the permanent endowment of the School of Philanthropy is natural and commendable, considering that it ensures the enlargement and perpetuating of the school. Nor is the society any less justified in its exploitation of "Charities," the excellent monthly review of "local and world-wide philanthropy," which is published under the auspices of the society.

The society has performed a public service in calling attention to the deplorable effect of political domination over the municipal departments in which human life is concerned. The statement was evidently prepared with considerable restraint, owing to the difficulty of saying unpleasant things without giving personal offence. To quote from the report: "It is, however, a clear duty to call attention to the wastefulness, the injury to the interests of the sick and dependent and the inexcusable folly of attaching the responsible administration of such a department, for example, as that of the Department of Public Charities to the fluctuations of municipal campaigns. . . . No better illustration of the elementary principle that the great city of New York is entitled to the service of experts and the continued service of such experts as have shown marked fitness for great responsibilities can be given, than by a comparison between the advances made in the administration of the Department of Public Charities in the first half of the present year, and the first half of the year 1903 and the year 1902. In both of the preceding years new institutions were created, old institutions were reorganized upon a better basis, and administrative reforms of various kinds were made, some of which are mentioned in other parts of the present report, but all of which are set forth in detail in the official quarterly reports of the Department of Public Charities.

"Still more striking will be a conservative forecast of some of the things which undoubtedly would have been accomplished in this first half of the year 1904, if the administration of the former commissioner of charities had been continued and had been given the same support as was accorded it during the previous two years. It is safe to say that there would have been expended under pending or completed contracts at least half a million dollars for new buildings and improvements, among which would probably have been six additional cottages for aged infirm persons on Staten Island; an adequate dormitory for employees in the Metropolitan Hospital, who are now lodged in an incredibly unsuitable manner; an isolation pavilion on Randall's Island for children suffering from venereal diseases, of whom there are unfortunately a great number; a new emergency hospital at Coney Island, which might serve also as a convalescent hospital for the use of the

entire department, and a hospital for nervous diseases on Blackwell's Island. The latter would not necessarily require a new building, but would gather into a group of buildings already existing the six hundred patients suffering from paralysis and other nervous diseases, giving them the great benefit of a special staff of physicians expert in the treatment of such diseases and with special equipment therefor. Undoubtedly the nursing in the wards for sick children on Randall's Island would have been definitely organized as part of a training school for nurses, male consumptives would have been removed from their present unsuitable quarters in King's County Hospital, a camp for convalescent consumptives established at the City Farm Colony on Staten Island, and women would have been admitted as day patients with proper dispensary treatment to the Tuberculosis Infirmary on Blackwell's Island, and the vigorous prosecution of deserting fathers and husbands who have absconded from the state, leaving their families dependent, would have been inaugurated.

"These measures are enumerated not as baseless speculations, but as definite plans, many of which were well under way on the first day of January. For example, the Hospital for Nervous Diseases, which had been recommended and for which the plans had to some extent been worked out by Dr. Frederick Paterson and Dr. Pearce Baily, two of the foremost specialists, had been made the subject of full investigation, reports had been received from the superintendent of the Home for the Aged and Infirm, and other preparatory steps taken with a view to action early this year.

"It is as extraordinary as it is humiliating that of these various plans for more efficient and more humane care of the city's dependents, not one has been carried into effect or advanced beyond the stage at which it was left on New Year's Day, and that with the exception of the selection of a site for a municipal lodging house, no new plans have been substituted for them, so far as can be ascertained from an examination of the official reports and personal inquiry at the department.

"The considerations which have been urged with reference to the Department of Public Charities would apply with almost or quite equal force to the Department of Correction, the Tenement House Department and the Health Department. Permanency of tenure for such as are found to have peculiar qualifications for those responsible and essentially non-partisan functions of the municipal government is a principle which every good citizen, whatever his politics, should heartily and unequivocally accept."

The note of this part of the report is one of despair rather than anger. In the effort to maintain friendly terms with the adversary, Dr. Devine has suppressed his natural feelings. It is, however, clear to those who can read between the lines of his statement, that the Charity Organization Society maintains its calm exterior with weariness and pain, and that its measured words are really giving it great distress.

The society summarizes its position thus: "The five special features of the work of the Charity Organization Society, all of which are unique and distinctive of this society, indicate its peculiar and central position among the charitable agencies of the city. No other society undertakes or could

undertake without sacrificing its own, and perhaps equally indispensable functions, the special objects and activities of this society. It is a society for organizing and co-ordinating charitable work; it is a society for receiving applications for aid, carefully sifting and testing them, and obtaining from the proper sources prompt and adequate material relief for such as are in need; it is a society for encouraging the establishment of new agencies where they are required, for giving expert and confidential advice to the benevolent in their benefactions, for giving accurate information in regard to charitable institutions, almoners or agents that appeal for contributions; it is a society for helping the poor through wise counsel based upon long and instructive experience, through personal service of volunteer visitors, and through all such means as will make them at the earliest possible moment self-supporting and self-respecting members of the community."

The report is signed by Robert W. de Forest, president, and Edward T. Devine, general secretary.

**The Newark Bureau of Associated Charities.**—The history of the Bureau of Associated Charities of Newark, N. J., is typical of the development of the charity organization movement in other cities. The society is now twenty-one years old, having been organized at the same time with the general movement toward inquiry and investigation of methods of charity which took place in the later seventies and the early eighties. It adopted for its constitution practically that of the Boston Associated Charities, including the system of district offices with paid superintendents. The enthusiasm of the new ideas carried the work on vitally and successfully for a number of years, when it apparently began to lag. The vital principles of charity organization were not easy to work out in a constructive way, and the society began gradually to lessen its activities and to narrow its work and ideals. Finally, it may be stated as approximately true, the society's work became largely the work of investigation and report, the active work being delegated to other societies. Furthermore the field of effort seemed to narrow down to the matter of affording material relief, and the bureau's investigation was to find whether the family was worthy or unworthy of material relief. Coincident with the decrease of vitality came the withdrawal of the districts into the central office, the district offices being given up to save expense.

Within the past two years the society has undergone a change. It is recognizing more and more the broader phases of charitable work involving questions as to the social and environmental conditions of the families dealt with. At the same time there has come a renewed interest in the personal work of regenerating the character of the families through personal influence. The investigation of a case of need is followed up by the outlining of plans for the restoration of the family to independence and efforts to secure the co-operation of society, church or individual interested to accomplish the definite object in hand. Where there are gaps in the city's provision for assisting families, these are filled temporarily at least by the activity of the society. An emergency and special relief fund is maintained, the emergency fund for providing temporary aid quickly, as there is no society in the community that will do this, and the special relief fund for securing adequate



relief in those special cases where it cannot be secured from other sources. A provident savings fund has been inaugurated, with a paid collector who is doing missionary work, teaching thrift and economy, and giving a new conception to the beneficiaries of the purposes of charity. By co-operation with one of the lodging houses and wood yards for men, which had previously given work only to homeless men, the society has now a means of furnishing emergency work to the head of the family as a test, and to tide over until something more permanent can be accomplished.

Coincident with the development of this machinery the society has put its hand to the development of friendly visitor work along definite lines. The district conferences, district now only in name, as they meet at the central office for the time being, have been developed into friendly visitor conferences for personal work with needy families. It might be said in passing that the society recognizes the need of the district system of organization in Newark, and hopes to return to that system when its resources are larger and its vital hold upon the public greater. In the meantime, under the presidency of an active and enthusiastic chairman, the conferences are developing along friendly visitor lines. This work is in charge of the assistant superintendent, so that the visitors are under constant direction of a trained worker.

In order to create an atmosphere for real co-operation, and to make it possible for progressive ideas of charity to obtain, the society has secured the organization of the Newark Conference of Charities and Correction, which is successfully entering its second year. Its membership consists of delegates from twenty-seven societies and twenty-seven churches. Four or five public meetings are held each winter, at which speakers of note from out of town present the best methods and ideas of the phases of charitable work discussed, followed by a presentation of the local work followed with questions and discussion. Among the questions taken up have been the following: "Unity and System in Charity—How Can Our Charities Work Together?" "Newark's Provision for Helping Children" and "The Essentials of an Effective and Adequate System of Child-caring Work in any Community." "Delinquent Children; The Juvenile Court; Probation; Truancy; The Ungraded School." "Prison Reform and Work for Discharged Prisoners." "Relation of the Church to Charities and Correction."

Among the speakers have been Robert De Forest, Edward T. Devine, Homer Folks, Judge Robert J. Wilkin, Dr. Frederick H. Wines, Rev. Alois Fish, Bishop Edwin S. Lines, Rabbi Joseph Silverman; besides local speakers, including the Mayor, the County Judge, the Police Court Judge, the Probation Officer and the presidents of many of the institutions.<sup>1</sup>

**Charities and Correction in Baltimore and Maryland.**—Immediately after the great fire in Baltimore, in February, 1904, a committee of twenty-six representative citizens, on relief of need, was appointed by the Mayor, with Dr. Jeffrey R. Brackett as chairman. The committee adopted the following principles of action: That relief was to be given only to cases of actual need to secure the necessities of life, or to provide means by which sufferers

<sup>1</sup> Contributed by A. W. McDougall.

would be enabled to procure them; that there was to be no reimbursement against loss by fire; that relief should be adequate, regardless of the amount; that persons were expected to try every source available before applying to the committee for assistance; that all cases possible should be handled by established charitable organizations; that sufferers of various nationalities and affiliations should be dealt with by their own societies and associations; that careful and sympathetic investigation should be made in every case to determine the character and amount of need. The call of the committee was promptly and effectively responded to by churches, charitable organizations and public bodies, such as the State Employment Bureau. The committee found it necessary to engage only three employees. Later the legislature appropriated \$170,000 for the relief of need due to the fire. Of this amount only \$23,000 was expended, although every case requiring aid that came before the committee was liberally helped. The expenses of administering the relief were between 7 per cent. and 8 per cent. of the total expenditure; 1,063 different families were assisted.

In January a tuberculosis exposition was held in Baltimore, under the direction of the State Tuberculosis Commission, the State Board of Health and the Maryland Public Health Association. The exposition did a wide educational work both for Baltimore and the country. The legislature of 1904 passed a law providing for a new State Commission on Tuberculosis, carrying an appropriation of \$2,000. Another law provides that all cases of tuberculosis shall be reported to the State Board of Health and registered. It also provides for the disinfection of infected houses, and makes it a misdemeanor to rent an infected house before it has been disinfected. Another law provides that the offensive disposal of sputum shall be considered a nuisance and finable. In cases of pulmonary or laryngeal tuberculosis, attending physicians are required to report on forms provided by local boards of health what necessary precautions have been required by them to prevent infection. Physicians receive \$1.50 for each report. In case of the failure of physicians to report, the duty devolves on the local health board. Upon the requisition of the attending physician, materials for the prevention of infection are to be supplied by local boards, together with circulars of information as to methods of care and prevention. Failure to report a case or falsification is punishable with a fine of \$100. The State Commission, whose term expired early in 1904, made some valuable investigations into the facts concerning tuberculosis in the state, and have published the results in a report. The Johns Hopkins Hospital has opened a dispensary for the treatment of tuberculosis cases, to which is attached a trained nurse who visits patients in their homes. The Visiting Nurse Association also employs a trained nurse, whose work is confined to tuberculous cases. The supervisors of city charities are about to open a new hospital for tuberculous cases. A volunteer state society for the prevention of tuberculosis has been organized.

A site has been selected for the erection of an infectious diseases hospital by the city of Baltimore, and it is hoped that the hospital will be built in 1905.

The State Bureau of Industrial Statistics has inaugurated a campaign

against sweat shops, under a state law passed in 1902. The law provides that no shop shall be maintained in a dwelling where a family lives, or where other than the members of the family are employed, and requires a permit from the bureau. The permit is not issued unless there is 400 cubic feet of clear space for each employee and sanitary conditions are good. The infliction of fines under the law has had very beneficial results. Many contractors have moved families out of dwellings where shops were located and improved the sanitary environments. This bureau is also making an investigation into the industrial condition of negroes in Baltimore through the Police Department.

The juvenile court law of Baltimore was amended in 1904. Previously, one probation officer had been provided by private contributions. The law provides for three probation officers at a salary of \$1,200 per year each, to be appointed by the Supreme Bench of Baltimore. Three officers have been appointed, and are able to keep the work in reasonably good shape. They can be called on also by the other courts. They are authorized to investigate institutions to which children may be committed. A second law gives the magistrate the power to deal with parents. It increases his salary to \$2,500, and allows him a clerk and two police officers. A bill for a house of detention failed on account of the expense due to the great fire.

Another law allows the commitment of girls to institutions until 21 years of age, instead of 18, as formerly. Power is given to institutions to discharge minors when managers deem it beneficial to the minors; also power to require the return of minors placed with relatives or in homes, when the children's welfare requires it.

A law makes attendance at school for eight months a year, or during the scholastic year, of all deaf children in the state between 8 and 16 years of age compulsory, under penalty of a fine.

In Baltimore city the School Board has made arrangements with the Children's Aid Society to supply rooms for use as a truant school, under the compulsory education act. A number of parents have been fined, under the law, for not sending their children to school. It is expected that these steps will materially increase school attendance.

During the summer several new athletic grounds in the parks of Baltimore were opened. In all the parks instructors in athletics were provided through the generosity of a good citizen. This movement has made great headway.

At the instance of the State Lunacy Commission, a law was passed providing that from January 1, 1909, the state shall be charged with the maintenance, care, control and treatment of all dependent insane residents of the state; and that as soon as practicable after that date, the commission shall transfer from county and state almshouses and asylums to state hospitals such dependent insane residents as the commission thinks should be removed. Those removed shall be maintained at the expense of the state. The State Hospital for the Insane at Springfield is gradually increasing the number of its cottages. The Act of 1902, creating a Commission of State Aid and Charities, was repealed and re-enacted. The new law provides



for the appointment by the Governor of a board of seven, who are directed to meet at least quarterly and "investigate and consider the whole system of state aid to public and other institutions." It is empowered to investigate any institution financially aided by the state. It must report to the legislature and make recommendations as to the appropriations. The secretary of the board, who receives \$1,800 a year and traveling expenses, is required to inform himself as to the condition of institutions. He is to act as an adviser to the financial committees of the legislature, and make such investigations and reports as they may require; \$3,500 a year is appropriated for the expenses of the board. The legislature continues to make appropriations to private institutions, but the amount of these appropriations has not increased greatly in late years.

An act of 1904 provides that any person who shall without just cause desert or wilfully neglect to provide for the support and maintenance of wife or minor children, shall be punishable with a fine not exceeding \$100, or imprisoned in the House of Correction for not more than one year. The fine may be paid in whole or part to the wife. Before trial, with the consent of the defendant, or after his conviction, instead of inflicting the punishment or in addition thereto, the defendant may be required to pay a weekly sum for one year to his wife, and may then be released on probation, under bond to comply with the order. In case of forfeiture of bond, the fine may be paid in whole or in part to the wife.

Another act provides for the issuing, by a board of examiners, to be appointed by the Governor, of certificates entitling nurses to the title "registered nurse," subject to rigid conditions as to training, age and character.

About a year ago the Federated Charities Building was opened for the use of the Association for the Improvement of the Condition of the Poor, the Charity Organization Society and the Children's Aid Society. The building was provided by the Association for the Improvement of the Condition of the Poor from a legacy.<sup>2</sup>

The Sixty-first "Annual Report of the New York Association for Improving the Condition of the Poor is so interesting that it ought to have a much wider circulation than it needs for its own purposes. The report is signed by R. Fulton Cutting, president, and William H. Allen, general agent. Its authors have the rare faculty of visualizing for us the very real people with whom the Association has to deal. The art of putting things attractively is illustrated at the opening of the report, which begins as follows:

"Friends of our fresh air work at Sea Breeze will be pleased to learn that the stretch of sand that for so many summers had grown only rank marsh grass, produced not only flowers, but radishes, lettuce, beans, cucumbers, sweet corn, tomatoes and pumpkins. Tenement children reared in kitchens plunged headlong into the warm colors, and crippled children from the tent camp made a daily pilgrimage to gather bouquets for their nurses, and for their own dormitories and dining-room. Aged women were reminded of peasant life in Germany or Ireland. Yet all this happiness cost less

<sup>2</sup> Contributed by John M. Glenn, Supervisor of City Charities, Baltimore, Md.

than \$100, despite the declaration of experts that it was simply impossible to achieve results worth while without first expending \$500 to \$1,000."

From the picture of Sea Breeze, one's thoughts are led to the work of the public bath houses, in which 233,000 baths were given during the year. In this connection, the Association has done a rather unusual thing in pointing out that the totals are for *baths* not *bathers*. The report shows (taking the Rivington Bath as an illustration) that assuming each patron of it goes at least once a week, the 750,000 baths given every week are enjoyed by some 14,000 individuals among a population of over half a million within walking distance. "If we assume that at least three members of a family patronize the bath weekly, we then have less than 5,000 families enjoying the benefits of that one bath. There is a limit to the distance which people are willing to walk, or which in very hot weather or very cold weather it is desirable that they should walk, in order to take a bath. Even cleanliness may cost too much. We have reached a point in the movement for public bath houses in New York when we must emphasize the necessity of baths as neighborhood facilities."

A unique development in relief work is the employment by the Association of "visiting cleaners" to supplement the work of the visiting nurses. "Our first cleaner was persuaded to try the work for one week. In that time she cooked meals for sick mothers, bathed their children, cared for unkempt heads, did a day's washing and thoroughly cleaned the house. At the end of that time she came to us and announced that it would be impossible for her to continue. In her words, 'I thought I knew all the smells there was, but I didn't.' We asked her if she had not realized that she had given happiness which neither the nurse, the physician nor the pastor could give." The "foster housewife" was persuaded to go on. Her work grew until we found four women who were willing to go into homes for the purpose of lifting temporarily the simple every-day domestic burden from sick mothers. Does any one believe that \$10 given in broken bread, in pennies and nickels, will give as much happiness and accomplish as lasting results at the service of the visiting cleaner, who for that sum can bring sunshine, happiness, cleanliness and fresh air to a score or more of homes?

Another new departure is the experiment conducted at Sea Breeze in the salt air treatment for children suffering from tuberculosis of the bones and glands. In the summer of 1903, Mr. John Seely Ward, Jr., inspected "various French hospitals for the treatment of tuberculosis. Upon his return, he reported that while in the treatment of children suffering from tuberculosis of the lungs, American methods are quite as advanced as those in France, the same cannot be said of our treatment of children suffering from non-pulmonary forms of tuberculosis. This seems all the more remarkable if it is remembered that when tuberculosis attacks children it is more frequently in the bones or lymph glands, or skin or abdominal organs, etc., rarely in the lungs. The American treatment in these cases differs from that of the French seaside hospitals in that here we attempt to arrest the tubercular process by operations, braces and indoor treatment.

"Letters of inquiry were written to a score of representative physicians

in American cities; with one exception they expressed the hope that an experiment be made. The New York Board of Health estimates that there are from four to five thousand children under fifteen years of age in New York City alone suffering from non-pulmonary forms of tuberculosis. At least three-fourths of these are to be found in the tenement districts. The urgency of the need was apparent.

"It was a pathetic group of children who came to us on June 6th, so weak and emaciated that it was necessary to send one adult for each child. It is not an exaggeration to say that at the present time it would be difficult to select among normal children in our tenement districts fifty who look as happy, as ruddy, as rugged as those among our earliest patients who have remained until the end of the summer. Our chief regret is that so few of the medical practitioners and the laymen interested in the crusade against consumption have been able to see for themselves the life at our camp." The success of the experiment has been so marked that it is to be continued throughout the winter.

It would be impossible in the space *THE ANNALS* can give to this report, to more than barely indicate the spirit and character of the splendidly progressive work of the Association.

With regard to the high cost of professional service Dr. Allen says: "In spite of careful economy relief work becomes more costly as it becomes better. For instance, we have to employ an increased number of visitors, not only because we are called upon to investigate the increased number of families, but also because we find that each family needs, for such relief as will restore its self-dependence, an increased amount of attention and thought. To be effective, this attention and thought call for a high degree of intelligence, sympathy and patient skill on the part of each visitor, who deserves and must receive an adequate compensation.

"We are aware that a question still lingers in the minds of many, even among contributors to work like ours, as to the proper proportion between the amount given in relief and the expense of administering that relief. But this question is really unimportant compared with the inquiry, 'What is the character of the assistance rendered by our visitors to those whose needs are brought to our attention?'

"For sixty odd years this Association has labored to eradicate vagrancy; at times, we, like others, have placed the emphasis upon the unworthiness, the meanness and the viciousness of the vagrant. Will you not as contributors help us now to establish more generally in the public mind what to us is a truism? It is cruel, it is inhumane, it is unchristian to give a man a nickel who needs two weeks in the hospital. It is unchristian to permit an aged woman to go from door to door suffering rebuffs and abuse and scorn, appealing for an undergarment to keep her warm, when by co-operating with others we can place that aged woman in a comfortable home. Mendicancy thrives because the mendicant is given too little; because he receives that which hurts and demoralizes instead of that which cures and elevates. The alms given to a professional beggar are almost invariably both the incentive and the means of further degradation. The vagrant who comes to us affirm-



ing his desire to re-establish himself is given not merely a night's lodging, a pair of shoes or two meals, but is given a chance. Our interest does not disappear with the first word of advice or the first material relief. It continues just as long as the applicant will make an effort to gain a footing."

During the year the Association has added 506 contributors, and \$10,452 to its general fund, and 202 contributors and \$2,772 to the Fresh Air Fund, an achievement which indicates the general appreciation by the community of the merits of the excellent work which the Association is doing.\*

The New Jersey State Home for Girls, situated at Trenton, occupies eighty acres, sixty being under cultivation and twenty woodland. It is an ideal spot, being about the highest point in Trenton. An abundance of plain, well-cooked food, regular hours and duties keep the girls in good health. No fences mar the view, and as far as possible the individual home life idea is carried out. Ninety girls are housed in a large rambling building, and thirty-six in the Honor or Voorhees cottage.

It is out of the question to make the classifications necessary to bring about the proper results where so many girls are housed under one roof, with but thin plaster partitions separating them. Girls who have been tempted to take money from their parents, but who have otherwise been blameless in their lives, should not be associated with girls taken from disorderly houses. Little can be accomplished where so much opportunity is afforded to "swap" experiences. If the legislature will grant an adequate appropriation it will enable the board to undertake a large and important work. Many years ago it was demonstrated that the congregate system is very unsatisfactory, that the nearer we can approach the home life the better the results. Two additional cottages are needed, with perhaps a one-story building to be used as an infirmary. With our present accommodations, diseased girls are difficult to isolate, and in case of contagious illness we have no provision at all for their care.

Where girls show a fitness for higher education this is developed. Early this fall one girl was entered in an educational institution outside of the state, the necessary funds being secured through private sources, as the state cannot spend its funds outside of its own boundaries; another girl was entered in a large hospital to be trained as a nurse, and the board has now under consideration the training of a girl to be a stenographer and of still another as a teacher.

The daily routine of the home is as follows: The girls in the kitchens and the two laundries are in their departments soon after six every morning but Sunday. The others leave their rooms for the lavatories at seven, each girl taking her towel and wash cloth with her; the half hour before breakfast is occupied in sweeping the individual bed-rooms (twice a week scrubbing them). The beds are stripped and the windows opened when the girls go down for breakfast. From the dining-room they go to morning service, the three families meeting in separate rooms. This service consists of the Lord's Prayer, a prayer by the officer in charge, one or two hymns selected by the

\* Contributed by Hugh F. Fox.

girls themselves and the preparation of a part of the lesson for the following Sunday. After this the girls go to their rooms for the purpose of making their beds, and they are then dismissed to the different playgrounds until nine o'clock, when every girl goes to a department—kitchen, dining-room, laundry, bakery, sewing-room or cleaning of the halls. At twelve they go to dinner; at half past twelve to recess. At one o'clock all return to their rooms, except those employed in the kitchens and dining-rooms, who do not have their full recess and must remain in their departments until all evidences of the mid-day meal have disappeared. At two all go to school and remain until five, when a full hour's intermission brings them to supper time. At half past six the three families meet in the assembly room, sitting separately in regular places, doing fancy work—hemstitching, drawn work or crocheting. During this half hour some one reads or recites or all sing some favorite melody, accompanied by the piano. At seven, all the kitchen and dining-room girls have joined the others, then fancy work is put away and a full half hour is given to physical culture exercises; then after a hymn and a prayer they march to their rooms sufficiently tired out by the rhythmical exercises to go right to bed and to sleep. To be prevented from participating in these evening exercises is considered a great punishment. A girl deprived of this privilege one evening will gladly apologize and behave herself the next evening, if allowed to join the circle.

In addition to the festivities on the various holidays, there was a lawn party on the grounds of one of our friends in Trenton, when fifty-four of our girls who had not been marked were entertained in a way not to be forgotten. Fifty girls who had not been marked visited the State Fair, were provided with seats on the grand stand and behaved themselves in a way to please all our friends. This trip to the fair meant a ride on a trolley and a transfer to another and mingling in a crowded assembly, but without a single instance of the slightest misconduct, and yet there was no disposition on the part of anyone to perceptibly restrain them. Small groups of girls have been taken to the stores and churches that they may be familiarized with general conditions of ordinary life, and the results have been most satisfactory.

Our girls have come to us through failure of their natural guardians to care for them. They do not come to us to be punished, but to be trained for lives of usefulness. We deny them privileges rather than inflict punishment, and try to develop the best in their nature. Human nature is very much the same everywhere, and what is good for a girl in her own home helps a girl in the state home.<sup>4</sup>

**The National Congress of Mothers.**—The purpose of the Congress is to extend the influence of earnest, thoughtful motherhood, so that it shall reach the childhood of the world. The universal needs of childhood are considered by the Mothers' Congress with the determination to provide the best opportunities for the development of every child. Whatever thwarts or furthers this purpose comes legitimately into the work of the Congress. The protection of children leads into many departments of work.

<sup>4</sup> Contributed by Elizabeth V. H. Mansell

There must be sentiment in the work, for love is the atmosphere of motherhood, but with the sentiment, there must be good practical common sense, knowledge of child-nature and its needs, and insight into the causes which make or mar the childhood of the race. The organization of a national body of women whose purpose is the guardianship of every child is a strong factor in raising the standard of the nation.

A good home is the most powerful influence for good that can surround children. Parents who comprehend child-nature and make it their first duty to care wisely for their children, make a good home, whether it is in the poorest cottage or the richest palace. Therefore the effort to reach and elevate every home becomes necessary if children are to develop as they should. Many people, educated on other lines, have little or no understanding of how to bring up a child.

The Congress has received the help of the educators, physicians, psychologists and specialists in many fields, and has become a national directory for all who desire to study child life in the light of careful research. The most effective method of work is by establishing child study circles, mothers' clubs or parents' associations in every school.

The Congress has prepared outlines for study, suggestive book lists for mothers and children, and programs for many meetings, which are of practical help to mothers and fathers. The school gains the sympathetic co-operation of its patrons, and in educational and financial lines is the gainer thereby, while the benefit to the children cannot be estimated. The two strongest influences in child life are home and school, and to make them pull together is very necessary to the attainment of the best results.

The Congress has made an exhaustive study of legislation affecting childhood, and also of conditions throughout the whole country. It recognizes a great lack of mother-thought in legislation protecting children's interests. It has been successful in winning the support of legislators in its efforts to build up in each state an adequate system of laws. The state stands above the parent, and should insist on the provision of such conditions as will give to every child the chance which is his inherent right, to develop normally.

The juvenile court and probation system were endorsed by the Congress soon after their establishment in Chicago, and should be introduced in every state. When efficiently administered, it is a very effective way of preventing crime, because it takes the child at his first downward step that gives him help rather than punishment. The Congress believes that massing children in reformatories has been productive of much harm, and it stands for individual treatment.

The Congress stands for the appointment of probation officers who have made child-study a specialty, and whose patience and love of children makes the work a joy. It also stands for the appointment of sufficient probation officers to give individual and frequent attention to each child. Otherwise probation work fails of its best results. The establishment of child labor laws, that do not deprive children of habits of industry, and do not interfere with physical and mental growth, has been, likewise, an important feature of the Congress work.



The Congress has been further obliged to consider the laws governing marriage and divorce, because the alarming increase of divorces, and the lack of uniformity in marriage and divorce laws which make divorce easy, seriously affect children.

The National Congress of Mothers received earnest and persistent appeals from the home-loving Christian women of Utah to come to their aid in protecting their homes from the degrading influences of the polygamous and treasonable teachings and practices of the Mormon hierarchy. Investigation proved that the appeal was not made without reasons so grave that they could not be ignored. The result of this call from the Congress of Mothers was the organization of a National League of Women's Organizations, which has made concerted work possible, for the sole purpose of the League is "To defend the country against the polygamous and treasonable practices of Mormonism, and to maintain Christian standards of marriage." The Congress has shared with other organizations in defraying the expense of counsel in the Smoot investigation. It has arranged many meetings to disseminate facts concerning conditions in Utah and adjoining states which rap at the foundations of home life.

Protection of home and childhood made it necessary to take decisive measures for their defense. Thus it is, that while the main work of the Congress is constructive and educational, in the exigency of this grave menace to the honor of womanhood, and the purity of home, it has been compelled to act in their defense.

Motherhood, in its highest sense, extends loving care to the childhood of the world. It recognizes a God-given trust in the care of His little ones, and in order to fulfill this trust, the National Congress of Mothers has been formed.<sup>5</sup>

<sup>5</sup> Contributed by Mrs. Frederic Schoff, President National Congress of Mothers.

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## MUNICIPAL NOMINATION REFORM

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BY HORACE E. DEMING, ESQ.,

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Examples abound of the great loss and damage to the city through its want of sufficient legal power to guard or promote the interests of its citizens. The city government is to a marked degree a helpless government, the vassal of the state legislature. But if the city be emancipated from legislative meddling and clothed with ample legal power to meet every local need, unless responsibility for the use of the power be readily enforceable by its citizens, only a little part of the road toward honest, efficient and progressive administration of the city's affairs will have been traveled. A local government having ample power and accountable directly to the citizens of the locality for the use of the power is the democratic way of solving the municipal problem.

In the city, as in the state and nation, to attain good government, some practical and practicable method must be found through which the people subject to the powers of government may easily enforce responsibility for the use of those powers. The city government problem is but one phase of the general political problem—national, state and local, in the United States—How to achieve a government of the people and for the people, through agents and agencies selected by the people? Unless these agents and agencies are thus selected, there is no readily enforceable responsibility to the people for the exercise of governmental power; the government is not a representative democracy. The movement for a change in our methods of nomination to appointive and elective public office has gained force each year with the growing appreciation that, under present conditions, accountability for official conduct is felt toward the nominating, not the appointing or electing, power; that the power to nominate to public office is an attribute of sovereignty and ought to belong to the people; that a government responsible and respon-

sive to the governed is impossible unless the governed control in their own interest all methods of nomination to public office.

Civil Service Reform and Primary Reform are phases of this democratic movement. Civil Service Reform finds its support in the sound democratic principle that appointive public officers should owe their positions to merit and fitness, not to subserviency to some political autocrat; that they are not the liegemen of a feudal overlord, but servants of the people. Similarly, Primary Reform seeks to democratize the methods of nomination to elective public office. The people are learning that if an autocracy controls the nominations to office, it controls the conduct of the office; that a so-called popular election, where the voters are confined in their choice to candidates selected for them, not by them, is admirably adapted to assist in placing all powers of government in the control of an autocracy.

The laws passed in deference to this ever-strengthening determination to secure emancipation from autocratic rule have been almost innumerable. But the practical effect, so far as dislodging autocracy from power or weakening its domination is concerned, is altogether negligible. After more than twenty years of agitation for Primary Reform, in not a single state where a political autocracy was in the ascendancy when the agitation began, are nominations to elective public office made to-day through methods that insure a free choice by the people of the person to be nominated. The methods in use do not contemplate or provide for any such result. Let any resident of New York, for instance, recall the nominations for public office in his state during, say, the last half dozen years, and attempt to name a single person nominated by methods that afforded any test or guaranty that he was the choice of the majority or the plurality of the voters who believed in the political principles he was nominated to represent. There was no established or recognized method of nomination by which such a test could be made, yet no one will deny that this test is a peculiarly appropriate one to be applied to the nomination of candidates for elective office in a representative democracy.

Up to the present time our municipal nominating methods have, in the main, followed the same lines and applied the same principles as have been followed and applied in the case of nominations to state

office, and, naturally, with the same baneful result, save that, for obvious reasons, the result is more prompt and certain in the case of cities. The local political autocrat, familiarly known as the "Boss," is one of the commonest of phenomena. If we wish to be rid of the local boss, and to make our city governments representative democracies, we must profit by the very informing experience afforded by the abundant primary legislation enacted during the last twenty years; and in drafting a municipal nominating law must abandon the methods that are demonstrated failures, no matter how logically perfect they may be nor how persuasive or convincing are the arguments in their favor. Nor should we expend much effort in explaining the reasons for their failure; if their failure has been demonstrated, that is enough.

Now one of the lessons taught by the history of primary legislation is this: A political autocrat or a political oligarchy will inevitably, sooner or later, select the nominees to elective public office if the privilege of participating in such selection is limited to the accredited members of a regularly constituted political organization; and this result is the more certain, the more elaborate and detailed is the internal scheme of government of the organization.

This is amply demonstrated by the political history of New York before and since 1882, when the first primary law was enacted in that state. In 1882 the Democratic and Republican organizations in New York each had elaborately worked out schemes of government, admirable in their completeness, and most efficiently caring for all the details of a political campaign from its inception till the votes were actually deposited on election day. The autocratic control of these organizations was notorious. Between 1882 and 1904 the New York Legislature enacted twenty-one laws and amendments to laws upon the subject of primaries, each succeeding statute increasing and extending the legislative regulation of the internal government of political organizations. Yet the autocratic control of the organizations has persisted undiminished. In 1898 a comprehensive statute was enacted intended to take the place of all then existing primary laws affecting cities having a population of fifty thousand or more and to embody all that had been found essential or desirable in legislation on the subject of primaries. The conduct of primaries and of all other affairs of the organizations was regulated with the same attention to administrative details, and



the same minute and painstaking care that the legislature devotes to the framing of a city charter. The furthestmost limit of legislative ability was reached. That statute, with some slight amendments, is the present primary law of New York. It has been in full force for six years, yet neither the Republican nor the Democratic organization has been relieved from the evils of autocratic control. Each organization is an example of absolutism. It would seem to have been demonstrated that the statutory regulation of political organizations does not democratize their management or emancipate from autocratic control the methods of nomination to elective office.

But New York's experience is instructive in another respect. It was urged that so long as the conditions of membership in an organization were prescribed by the organization, these conditions would be made such as to exclude all who objected to autocratic rule; that it was the character of the qualifications insisted upon for admission to membership in the organization which had caused the failure, one after the other, of the successive primary laws from 1883 to 1898, in either democratizing the government of the organizations or breaking up control by the political autocrat of nomination to public elective office. Therefore, the legislature in 1898 undertook itself to prescribe the conditions of membership in a political organization. It was enacted that when a citizen registers he need only state that he is in general sympathy with a designated "party," that it is his intention to support generally at the next election, state or national, the nominees of such "party" for state and national offices; and that he has "not enrolled with or participated in any primary election or convention of any other party since the first day of last year." "Party" is defined by the statute as "a political organization which at the last preceding election of a governor polled at least ten thousand votes for governor." Any voter who made this statement became at once an accredited member of the designated organization, and entitled to receive notice of and participate in its primaries during the succeeding calendar year. Much good was confidently expected from the innovation that the legislature, not the organization, prescribed the qualifications of membership in the organization. But the Republican and Democratic organizations in New York continue to be ruled by autocrats as before, and autocrats still dictate the nominations to elective public office.

Legislative ingenuity in prescribing the qualifications of membership in organizations, and in regulating the methods and supervising the affairs of organizations, has been powerless to accomplish government of, for and by the people. After, as before, the enactment of "primary laws," nominations to public office are an appanage of the political autocrat who dominates the organization. This condition will be inevitable so long as organizations hold the monopoly of making nominations to public office. And organizations will have this monopoly so long as political organization is by statute or custom made synonymous and identical with political party. In New York, for instance, there can be under the law no political party that is not a political organization. Polling so many as ten thousand votes for governor creates *ipso facto* an organization entitled to a special name as a political party, and to the exclusive right of making thereafter the party's nominations to public office. The provisions of the statute take especial pains to insure that among competing claimants, but one organization shall be legally recognized as entitled to be the party, wear the party name and make the party's nominations.

That, as a matter of fact, the "organization" is not the "party" is notorious; and the effect of a statutory treatment of two things in every essential respect so distinct and different as if they were interchangeable and identical has merely served to emphasize that any plan which in its practical operation vests an organization with the monopoly of making the party's nominations to public office necessarily tends to subject the party to the organization, and, as a matter of course, to the personal rule of the organization's autocrat. Abundant political experience should have made this well known before ever any "primary law" was enacted; but whatever may have been the state of our knowledge then, there should be no hesitation now in definitely abandoning the futile policy of which the series of "primary laws" enacted in New York is a conspicuous example.

It is especially important to keep in mind and to apply this lesson of political experience, if we may reasonably hope to accomplish any substantial change for the better in present methods of making nominations to elective municipal office; for, in addition to the evils already pointed out, the continuance of the old policy will subordinate the local interests to national political issues. Although,

at least for some time to come, it is to be expected that, in order to further the interests of the national political organizations, their local branches will make nominations and conduct campaigns to gain possession of municipal offices, there is no division of opinion among municipal reformers that questions of national political policy are outside the field of legitimate municipal politics. Any law or custom, therefore, that in the matter of nominations to municipal office tends to give a monopoly, or even a preponderating influence, to local branches of national political organizations must make against the public interest of the municipality. And every "primary law" that in its practical operation grants to political organizations, as such, a monopoly of making nominations to public office will, if applied to the municipal field, inevitably tend, under present political conditions, to subordinate the municipal interests to the exigencies of national politics. If only the accredited nominees of political organizations may fill municipal elective office, the sure results are, first, a local political autocrat who controls the nominations, and, second, the submerging of questions of local policy in the fierce strife of national politics. A flagrant example of such a law is the present New York statute, which provides a cumbrous, expensive, tedious and complicated method of making nominations to *municipal* office, unless such nominations are made by an organization that cast at least ten thousand ballots for *governor* at the last preceding gubernatorial election.

There are, then, at least two sound reasons why a municipal nominating law should ignore political organizations, as such, and grant neither to them nor to their nominees any special privilege upon the official ballot which the state compels every voter to use at a general election. The test whether one may have his name printed as a candidate for public office upon the general municipal ballot must *not* be that he is the accredited nominee of an organization. So much at least has been proved by countless experiments extending through many years.

There is another reason why permanent political organizations should not have by law either a monopoly or a preponderant advantage in making nominations to municipal office. Every observer of municipal affairs knows that the issues of municipal politics are constantly changing, and the rise and fall of local political organizations and local political parties are matters of common knowledge.



Municipal voters are increasingly loath to bind themselves to any political organization which interferes with individual freedom of political action or hinders the ready change of the voter's political support from year to year, as the needs of the city raise new political issues.

Partisanship in local politics is wholesome and necessary, but the lines of cleavage in local politics are constantly shifting. The questions at issue in 1900 are likely to be very subordinate or altogether non-existent in 1904. The men who gladly work side by side as vigorous partisans in a common cause this year are likely to be vigorous partisans on opposing sides next year. Political parties and political partisanship are essential, but municipal parties are in a constant state of flux, and rightly so. And *permanent* organizations which tend to prevent this free interplay of political forces or to hinder the disappearance of old parties, and the prompt evolution of new ones to meet the local issues as they arise, are a menace to the public interests of the municipality. Each municipal campaign should give the freest and fairest opportunity for the development of new local political parties.

The experience of New York has been recited at some length because it is typical of the experience in many other states. The fundamental characteristic common to all the primary laws thus far enacted has been that only candidates of organizations may be nominated to elective public office, and only accredited members of an organization may participate in making the nomination. In some states the organizations are expressly authorized by statute to prescribe the credentials to membership. In others, one becomes an accredited member by publicly announcing to the state election officers supervising the primary that he wishes a ballot containing only the names of candidates wearing a particular organization label. Under a very recently enacted law, similar in this respect to the original Hennepin County (Minnesota) law, one accredits himself by merely voting a ballot containing only such names. If he should vote for candidates wearing different organization labels, though, for example, one might be a candidate for the mayoralty nomination and another for the nomination for governor, all his votes would be thrown out. Under existing primary legislation, who

shall be chosen as nominee for public office to represent the political policy favored by a recognized political organization is strictly a question for the organization to determine, and is committed to the exclusive charge of the accredited members of the organization. The permission, which has been sometimes granted, to make nominations by petition is only an apparent not a real exception to the rigid enforcement of this organization test; for the exercise of the privilege of nominating by petition, even when not made most difficult and expensive, is denied to any one unwilling to forego his allegiance to the political principles avowed by a recognized political organization. Such an one must join the organization, or he is forbidden to take any part in nominating to public office a representative of those principles.

The futility of the organization test to prevent the growth of political autocrats, or restrain their power when once established, has been demonstrated again and again. For at least half a century it has been put to the proof by every extra-legal and legal method that human ingenuity could devise, and always with the same pernicious results. The organization test breeds bosses. It uses the forms of democracy to strike democracy down. The actual government it creates is a pure autocracy. The tenure of a political autocrat may be long and continuous, or it may be interrupted. But whether his reign be long or brief, interrupted or continuous, the "organization test" always supplies another autocrat to take his place and perform his functions. No matter how often the autocrat changes, the autocracy persists. If we really wish democratic government, we must deprive organizations of their nominating monopoly. A political organization must no longer have the exclusive right to nominate to public office representatives of its political principles. We must abandon the organization test and substitute some other test in its place.

What, then, should be the test? The previously ascertained fact that the candidate has a stronger popular support as a nominee for the office than any competitor for the nomination publicly avowing his allegiance to the same set of political principles. This would substitute for the narrow "organization support" test the "popular support" test that is actually applied at every general election.

Every vote for a Republican candidate for public office is rightly counted as a Republican vote. The Republican party strength is not measured by the organization vote that nominated him. If none but organization members were allowed to cast their votes at general elections, the figures of the returns would be astonishingly diminished. It is actual voting that determines a man's present membership in a party. The fact that I voted for Democratic candidates last year, or that I intend to vote for Democratic candidates next year, does not make me less a member of the Republican party this year when I vote for its candidates. It is the present vote that I cast which determines whether I belong to a party, not my intention to vote in the future, nor the historical fact that I did vote in a particular way at some time in the past. The definition of "party" which makes its membership comprise *all* citizens who vote for the avowed representatives of a given set of political principles is the actual test by which party strength is measured at every general election, and why should it not also be the test for determining who shall participate in selecting a representative of those principles as a candidate for public office? If we will but conceive of a general election as what it ought to be, and endeavor to make it a contest between the representatives of different political policies competing to be put into practical effect in the conduct of public affairs; and if we will but conceive of the preliminary election of the representatives of those policies as what it ought to be, and endeavor to make it a competitive contest for the right as a candidate for office to represent not an organization, but a given political policy, there will be no difficulty in applying to both elections the same standard as to who may rightfully participate in determining the choice. Each is a genuine election held in the public interest: the preliminary (nominating) election, to decide who has the greater popular support as the avowed representative of a given political policy; the ensuing general election, to decide which of different political policies competing for control of the government has the greater popular support. The true test in each case is the measure of "popular support," not "organization support." In any event, sufficient and conclusive reasons for the substitution of "the popular support test" are found in the proved evil consequences of the "organization support test." The "organization test," under any of its many forms in the primary legislation hitherto enacted, always



has, as an essential element, that the organization members, and only the organization members, are allowed to participate in nominating for public office representatives of the announced political principles of the organization, and that all who support those principles shall be forced to vote for the organization nominees at the general election. This has been proved by experience to result, *first*, in the domination of the party by the organization; *secondly*, in the domination of the organization by an autocracy. And so is evolved the hierarchy of political boss-ship, with a supreme autocrat, the party boss, at the top. On the other hand, if the "popular support test" be applied alike to the nominating and the final election, the organization's choice is but one of the competitors for the position of representative of a given set of political principles, since all believers in those principles may freely participate in choosing representatives of them as candidates for public elective office, and the successful competitor will be, as he should be, the one polling the largest popular vote. He may or he may not be the candidate favored by the organization as such. But, in any event, he certainly will be the candidate favored by the greater number of voters, who desire him to be nominated for public office as the representative of the principles in which they believe; for every such voter will have had full opportunity to vote for or against his candidacy. Why should not a candidate thus chosen be held to have fairly won the right to be his party's candidate?

The justice and the propriety in municipal nominating elections of applying the popular support rather than the organization test, are enforced by the notoriously great discrepancy between the numerical strength of organizations and the actual vote cast at the final election, when the citizens are called upon to decide what policy shall be followed in the administration of the local public affairs. It happens again and again in municipal elections that the candidates favored by an organization of confessedly insignificant numerical membership, nevertheless, on account of their personal characters and the political policy of which they are exponents, secure a large popular support, and that at a subsequent election the very same candidates as representatives of the same policy and favored by a greatly strengthened organization secure a much less popular fol-

lowing. This characteristic tendency in municipal politics, as we have already pointed out, is as wholesome as it is natural and inevitable. It is to the local public interest that this tendency should be encouraged and given full play, rather than checked or repressed by any "organization test."

The proved evils resulting from the operation of the organization test would be a sufficient reason for its abandonment even if it would destroy or seriously injure political organizations. But the adoption of the "popular support" in place of the "organization" test will not decrease the usefulness of political organizations or diminish in a single respect their legitimate authority and influence. There will be as much need of political organizations then as there is now, and they will find ample opportunity for their activities; but the primary reason for their existence will then be to secure the largest popular support for the political principles they advocate, not to find candidates who will be subservient in public office to the will of the organization.

He, who holds that a candidate for public municipal office should be the choice of the majority or plurality of the voters who believe in the political principles he is nominated to represent, will not look to the legislative regulation and supervision of the internal affairs of political organizations as a means of accomplishing the result sought. Long, varied and abundant experience with this method has proved it a failure. And experience and investigation will have taught him that the application of the "organization test" is not only futile as a means of accomplishing this result, but that it is a positive force for evil, since it tends (1) to create a political autocracy; (2) to subordinate the local public interest to the issues of national politics; (3) to hinder and to suppress the free interplay of local political forces, the rise of timely local political parties and their prompt disappearance with the occasion for their existence.

Frankly abandoning, therefore, the lines that have led to disappointment and failure, he will set about finding some method through which a candidate for the nomination to elective municipal office may seek the support of *all* who will vote for him as the avowed representative of a definite set of political principles. He will do this, not alone because the lines hitherto pursued have been

proved failures and worked positive injury to the public interest—though that were certainly reason enough—but because he will recognize that primaries to select nominees to public office are public matters, not organization matters; public elections, not private elections; that the public purpose of such an election is to select a representative of a political policy, not of a political club or organization; and that it is a perversion of the very purpose for which a general election to public office is held that candidates for such offices should receive recognition upon the official ballot as representatives of political organizations, rather than as representatives of political policies. It would seem self-evident, as a matter of logic, that when the state permits upon the official ballot at a general municipal election as a candidate for an office the name of but one person as the representative of a given political policy, it should be the name of the man who, as an avowed adherent of the policy, has proved by the actual votes cast in his favor in an open and fair contest that he has a larger popular following than any competitor. But this is not more a matter of sound logic than of sound public policy. For the prime purpose of elections to public office is to determine what political policy shall control the government, not what organizations shall place their candidates in office. This argument of sound public policy is enforced by the demonstrated grave public injuries when political organizations, as such, receive from the state exclusive privileges or preponderant advantages in putting the names of their nominees upon the official ballot.

The framer of a municipal nominating law who holds that a candidate for elective municipal office should be the choice of the greater number of voters who believe in the political principles he claims to represent will, therefore, not confine to accredited members of any organization the right to participate in the election that nominates a candidate to represent a given set of political principles; but, for every variety of definition of membership in an organization, as a test of the right to vote for the representatives of those principles, he will substitute precisely the same test that is applied at every general election to ascertain whether a given set of political principles shall control in the conduct of public affairs. In other words, he will make the nominating election a public election to determine who shall have the right as the representative of a given set of political principles to be a candidate for public office. He will recog-



nize that to be chosen as the exclusive representative of a given set of political principles is really to hold an elective public office, and that the public interests require the same credentials as are demanded from the holder of any other elective public office; that a "primary" to select candidates for *public* office is not an organization matter to be governed by the rules that regulate a primary to elect one of its members to an *organization* office; that the latter is a *private* election, while the former is a *public* election, having no necessary or proper connection with primaries to elect the officers or transact any of the business of the organization.

In the municipal nominating law that he would draft the right of any one to have his name as a candidate for public elective office on the official election-day ballot would depend:

1. Upon the fact that the political policy he represents has secured a sufficient popular support to entitle it to contest with competing policies to control the conduct of the government;

2. Upon the fact that among those competing with him for the right to represent this policy as a candidate for public office, he has secured a stronger popular support than any of his competitors.

This would, as it should, make the considerable popular support of a given public policy a condition of such policy having a representative in the final election-day contest; and it would also, as it should, grant the right of representing such policy to the man who had demonstrated that he could poll the heaviest vote as its avowed adherent.

If one asks how these two conditions may be fulfilled, the answer is easy: Prior to registration day, let every candidate for nomination be announced as such candidate, together with a statement of the platform of political principles upon which he stands, each distinct set of principles being denoted by a short title or phrase; let the names of all candidates for the nomination be printed upon an official ballot by the state; upon a registration day and immediately after registering, let the registration officer deliver to the voter an official ballot, which the voter shall mark for the candidate he favors and deposit in the ballot box under exactly the same circumstances as at the general election; and let the votes be canvassed and the result announced, as at the general election; on the official ballot used at the ensuing general election let only such policies and candidates appear as have successfully passed the two tests set forth above,—except that representatives of *other* and *dif-*

*ferent* policies than those voted upon at the preliminary election may find a place upon the general election ballot by means of a properly authenticated petition. This would sufficiently meet the rare occasions when some new question of public policy might arouse public attention between the nominating and the general election.

This is not the place to set forth the provisions of such a law in detail, but that it is entirely feasible has been demonstrated by a committee of the National Municipal League, which has successfully drafted a bill based upon the election laws of New York that, if enacted into law, would embody the principles here advocated, and not in any respect disturb the elaborate and technical electoral machinery already established in that state.

The opportunity to discover, before a political policy receives representation upon the official ballot at the general election, that it has a substantial popular support, would accomplish a much needed reform without in any way preventing or checking the freedom of popular action in regard to questions of public policy—a freedom most essential in a representative democracy—and at the same time it would recognize that the representative of a political policy that can find only a relatively trifling support at the polls should not cumber the official ballot at a general election. There are abundant reasons why there should be a fair opportunity for testing just how far a given set of political principles may win popular support; but is there any sound reason why an electoral system, if really devised solely in the interest of the public should provide that this test should be made as to *all* sets of political principles at the supreme moment when the people are called upon to decide according to which of differing sets of political views the government shall be actually conducted? Is it not an ill-devised and inferior electoral system which compels a delay till this supreme moment to ascertain that a given political policy is, for the practical purpose of government of only minor, often a very minor, importance, if not, indeed, a purely academic question? Yet this is precisely what the present method fosters and promotes. Would it not be far more in the public interest to find out well in advance of the general election which political views are of inferior importance and which are the real competitors for adoption by the people and realization in the conduct of public affairs?

Under present methods the general elections, instead of being

confined, as they should be, to determining which of great competing general public policies should control, are made the arena in which are displayed all sorts of political vagaries and notions, often to the confusion of the really important issues and always to the public injury. There should be nothing savoring of the academic in a general election to public office. What political policy shall control in the conduct of public affairs until the next election is the momentous question to be decided at a general election. Long before then there should have been ample opportunity for discovery that the amount of popular support for any given set of political views is, as yet, too slight to justify its serious consideration in determining this question.

Under the practical operation of the electoral system we have briefly outlined, the general municipal election would be a real contest between opposing political policies for control of the local government, and in the case of each of those policies the public office of representing it would have been filled at a preliminary (nominating) election, in which a full and fair opportunity would have been offered every believer in the policy to vote for the representative he preferred; political organizations would be undisturbed, save that they would be deprived of the monopoly of ownership of the political views which others hold in common with them, and thereby imposing the acceptance of the organization's choice of a representative of those views. The regulation of their internal affairs and scheme of government would become unnecessary, for their nominations to public office would become mere recommendations of their own preference to the popular consideration, instead of decrees from which there is no appeal. Shorn of its monopolistic control of naming successful candidates for public office as the official representative of the political policy supported by it, the organization would become wholesome in its activity and liberal in its management. Local political parties would become valuable and effective agencies for conducting the local government. Autocracy would disappear. The citizens of the town would govern the town. The administration of the local public affairs would be at once the expression and the realization of local public policy, authentically ascertained and authoritatively declared. The present absolutism, scarcely disguised under the forms of popular government, would give place to a genuine democracy.



## THE DEVELOPMENT OF PARK SYSTEMS IN AMERICAN CITIES

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The most promising feature of American civic life during the last decade has not been heralded with flourish of trumpets. The fashion of the newspapers and magazines of the day to decry indiscriminately all things municipal has spread to such an extent that the majority of us are loath to believe that there is anything to be said in actual praise of municipal government in this country. It would be interesting to inquire to what extent this fashion has prevented the success of many reform movements. The mis-statements of honest but ill-informed reformers have acted as boomerangs. Nothing needs accuracy more than a reform movement. Yet reformers exaggerate to such an extent that "the rank and file" assume that they are as far from the truth as the parties in power. One of the accomplishments of the parties in power, for which not only reformers but the public in general have failed to give due credit, is the improvement in appearance of cities, which has been effected chiefly by preserving places of marked natural beauty for the use of the public and by making attractive the communications between these natural parks and residential sections. If politicians have been brought to the point of appreciating natural beauty, and I believe this paper will note results that bear strong testimony that they have, and if the appreciation of beauty is really uplifting, it would seem that the general pessimism of the day as to municipal government fails to take into account the real facts of the case.

Progress of this kind is not likely to attract general attention at its inception. A large part of the general public do not understand "plans." They cannot visualize. The people who can visualize saw many plans on paper twenty or thirty years ago, but no execution of them. Consequently, it is only now, when concrete results

are visible, that the general public is beginning to realize that some things have been, not only planned, but done, and well done.

The acquisition of outer park systems is passing rapidly from the stage of undertaking to that of accomplishment. The creation of civic centers, the grouping of public buildings around a mall, is passing from the stage of agitation to that of undertaking. The development of the water fronts of American cities as the riverbanks of European cities have been developed has passed from the stage of airy speculation to that of active agitation supported by plans and cross-sections.

### *The City Plan.*

There is nothing abstruse about the things that make a city beautiful, unless it be the city plan. That can scarcely be called abstruse, but it is fundamental. As the increasing attention that is being paid to this apparently uninteresting topic is one of the results of the outer park movement, it would seem more logical historically to discuss it as a result. The preservation of places of natural beauty, which perhaps may be termed the battle cry of the outer park agitation, unqualifiedly demands that when a system of city streets approaches the boundaries of a natural park the rigidity of its lines shall give way to the flowing curves of the natural contour of the ground. But the instant the city plan gives way at one point, the question is raised why it should not give way even at points where parks are not projected. The result of raising this question has been the realization of the fact that the plan according to which streets of a city are to be opened is more fundamental than any of the functions to be provided for by that plan, and that what is called an outer park system is but one of those functions. Consideration of the city plan lies therefore at the very foundation of the subject.

While this consideration has not made great progress in this country, the signs of the times are noteworthy. Park and municipal art associations, formed frequently with no suggestion of a purpose to discuss that stupid thing called "the city plan," which is generally known as the map of city streets, are beginning to devote more and more attention to it. Several organizations of the larger cities have special committees on the city plan. Other associations have published reports advocating radical changes therein. Official art commissions, such as that of New York, have been

appointed to suggest improvements in street systems. Suburban owners are beginning to consider the wisdom, from the financial point of view, of making the lines of their streets follow the contour of the ground, and when that consideration is begun, the question of the wisdom of the entire city plan is brought to the front.

The planning of the direction of city streets, of their width, and of their grades, determines fundamentally the possibilities of a city's development, both with reference to its attractiveness and to its adaptability for the transaction of business. The city of the future will depend for its pre-eminence upon the ease of inter-communication between its different sections.

Inter-communication can be greatly facilitated or greatly hindered by the way the streets are laid out. Consider New York. Its underground system of rapid transit was necessitated largely by the scarcity of streets running north and south, and New York City has paid roundly in dollars and cents for that mistake, while its citizens, particularly its clerks and stenographers, have suffered every morning and night for a decade because of the congestion caused in large part by a street system unintelligently planned. Consider, on the other hand, Washington. Its street system is directly responsible for its attractiveness and for the promise of greater attractiveness in the future. Consider Philadelphia. Its system of rectangular blocks materially interferes with transit and causes a monotonous architectural effect. As has been said, it compels the citizen to run his latitude and longitude generally, instead of taking a direct or diagonal route. It is curious how we strain at a gnat and swallow a camel in city making. Recently the Mayor of Philadelphia suggested a fountain for the centre of the City Hall court-yard, which would compel a slight detour. There has already been opposition because of this detour, and yet the enormous detours compelled by the street system are passed over in silence; if attention is called to the matter, the right of property owners to lay streets so as to erect the greatest number of buildings is declared paramount. This is recognized in Germany where alternative plans have frequently been presented, showing a scheme of streets both with and without regard to these demands of individuals ("*A ohne, B mit Berücksichtigung der Eigentumsgrenzen*"). The Germans frankly accept the necessity of deciding between the interests of the real estate operators and those of the community between the inter-



ests of the individual and the greatest good of the greatest number.

While the discussion of this subject in America has been confined chiefly to occasional articles in more or less technical magazines, such as engineering and architectural monthlies, and to special reports of associations, its progress throughout Europe, both in England and on the continent, has been considerably greater, and in Germany the development of the subject has been quite remarkable. The question of planning the suburban sections of the smaller and larger German cities has secured the attention of the public to such an extent that at the beginning of 1904 a beautifully illustrated magazine, devoted principally to the discussion of plans for street extension, was launched upon the public. We have not reached the point where publishers recognize that there is a business probability that a magazine entitled "The City Plan" will be successful. It is probable that we will reach that point before many years, and this as a direct result of the movement for the City Beautiful.

#### *Outer Park System.*

The most striking results of the movement so far secured consist in what are termed outer park systems. The word "outer" in this connection is misleading; it seems to convey the idea that somewhere away beyond the built up portions of a city there are natural parks which the city has secured so that for all time its inhabitants will have some place to go in the country. Yet in fifty years it is probable that the outer parks of to-day will be as completely inner parks as Madison Square in New York, Washington Square in Philadelphia and the Commons in Boston, are to-day. The site of the Fifth Avenue Hotel in 1852 was a truck patch. Again the term "outer" seems to imply that the agitators of the movement are making the same mistake that was made a generation ago when during the sixties and seventies the majority of the large parks of the country, such as Fairmount Park in Philadelphia, Franklin Park in Boston and Central Park in New York, were being secured. That mistake consisted in being so completely absorbed with the idea of the single great country park as to fail to recognize the value of the small open spaces four and five acres or less in extent. The term "comprehensive park movement" is more descriptive of the character of the agitation to-day.

In the eighties there began an agitation for the creation of these

small open spaces that were then sometimes called "squares," sometimes "parks," never "playgrounds." It may be it was the cost of these squares compared with the cost of the great parks that made the agitators of the park movement realize the importance of avoiding the mistake of former generations in not securing open spaces all around the city before they were built upon. To take a somewhat later example, because the figures are at hand, what more convincing argument from the economic point of view could be advanced than is offered by the fact that for three parks covering less than ten acres in the congested portion of the East Side, New York recently paid more than it paid for Central Park in the fifties and sixties.<sup>1</sup> Another example may be taken from Philadelphia. That city lately condemned for park purposes a triangle of ground, two and a half acres in extent, covered by buildings, at a cost of \$400,000, while at the same time a number of organizations were bringing to the attention of the city authorities a tract of ground forty acres in extent, covered by magnificent woods, which could be purchased for five-eighths of that cost, and this woodland is located just at the limit of the built up area of the city.

The example of European cities in replacing their walls by encircling parks (perhaps the most perfect instance is Brunswick, though Brussels is better known), may have had much to do with the institution of the movement in America. At any rate, in 1893 we find the first conscious beginning of the agitation for comprehensive park systems in this country. This agitation has resulted in ten years in several fairly complete systems, now being reproduced throughout the country. The city of New York had already five years previously begun the acquisition of the Bronx parks, but that acquisition appears to have been inspired by the same idea, of an outlet for the people to the country, that secured Central Park. The idea that now dominates the movement is that country parks should be preserved on a clearly defined scheme in order that each section of the city, as it develops, may have a wide expanse of park land easily accessible, and that the various parks shall be completely connected by parkways, which shall not only tie them together but link them with residential sections as well.

<sup>1</sup> The official figures for the cost of the land alone are: Central Park, total area, 839.9 acres; cost, \$5,028,844.10. Mulberry Bend, Corlear's, Hook and Seward Parks, total area 9.9 acres; cost, \$5,237,363.27.

The two pioneers in the movement were Kansas City and Boston. In each a definite, complete, co-ordinated scheme was worked out. Unquestionably Boston has exerted the greater influence, but Kansas City has given an example which the cities of the Middle West are following more and more. Since 1893 the most important part of the Kansas City plan has been carried out. The city has largely secured the ground for the parks and parkways which the plans contemplate. The development of the ground is always the less important part and can wait. There are now ten and a half miles of completed boulevards, land has been secured for about sixteen miles more and the construction work is going on. The total area in parks and parkways, nearly all acquired since 1893, is over two thousand acres. While the statistics of this system are not as impressive as the ones to be quoted for Boston, yet its nearness to the heart of the city, its equitable distribution by which every section of the city shares in its benefits, make it worthy the study of its sister cities.

It is interesting to note that while Kansas City is cursed by the usual gridiron city plan, this park system tends largely to break up the regularity of that system. Omaha, following the course of Kansas City, has a park system fairly complete; and there, too, the park system produces a pleasing irregularity in the street system of square blocks. As the development of its park system is extended attention is bound to be drawn to the fundamental error of extending the existing street system further than it has already grown.

The results that have been accomplished in Boston are much more widely known than those achieved in any other part of the country. Indeed the majority of readers have doubtless so identified the park movement with Boston as to be almost totally ignorant that anything of a similar nature has been undertaken elsewhere. Without wishing to derogate from the importance of what Boston has accomplished in this line, I do want to produce some facts and figures to show that this movement for civic improvement is wide as the nation, and that many cities are undertaking what in Boston has not yet reached the stage of perfection. Boston is but one of many, and even as a pioneer has a rival in Kansas City, if the establishment of the Bronx park system in New York does not rob both of the right to that name.



But, while in a general way the Boston park system is known, its extent is not appreciated, and the difficulties to be overcome are assumed by many to have been necessarily indifferent, otherwise such a thing would not have been done in this country. Authorities in other cities will tell you that for this or that reason the situation in Boston was better adapted to carrying out the program, either because of its financial condition, its natural location, or some other advantage not enjoyed by the sister city which occurs to the political authority in question as a plausible excuse for not buckling down to the task of finding a way to do likewise.

There are within eleven miles of the State House at Boston thirty-eight separate cities and towns. Many of them had small parks, some large ones, so that there was a total acreage of nearly seven thousand acres. It was necessary to devise a plan by which all of these separate corporate entities would be compelled to bear their portions of the expense. A way was found in the appointment of a Metropolitan Commission, which did not take charge of these separate holdings, but has secured others and joined many of the new and old ones by parkways. The cost has been adjusted by a separate commission.

Under the lead of Charles Eliot, a preliminary commission was appointed in 1893 to consider the possibility of carrying out a scheme which he had gradually evolved. The commission reported favorably a year later. A loan of \$5,000,000 was secured for beginning the work and a permanent commission was appointed. Other loans have since been authorized. The commission in its tenth annual report shows that it has spent over \$11,000,000, with the result that within the radius of eleven miles of the State House, an area inhabited in 1900 by eleven hundred thousand people, there are now fifteen thousand one hundred and seventy-five acres of park land, which includes all separate park holdings of the many cities and towns of the district. Fifteen miles of parkways have been constructed and land has been secured for ten miles more. Ten miles additional will soon be acquired. The average annual cost of maintenance of the entire park area is slightly over \$500,000. The commission has been authorized to spend \$300,000 in addition in each of the ensuing five years and thereafter \$1,500,000 additional, in order to complete the system. And yet more. The Charles River reservation ends at the Harvard Bridge. That reservation is now

to be continued by the Boston Park Commission along the south side of the river to the Charlesbank Playground.

Embraced within the system are the three river valleys of the Charles, Mystic and Neponset Rivers, an encouraging example of the increasing appreciation of water fronts. The Middlesex Fells and the Blue Hills Reservation include the highest land facing Massachusetts Bay. The latter is the largest city park in America, covering 4,857 acres. These various reservations are largely connected with each other, but some links are yet to be forged. One instance of a complete link may be described to indicate what is meant by a park system. The Commons are connected by the Public Gardens with Commonwealth avenue, which leads westwardly to the Back Bay Fens, and the latter southwestwardly and southerly to Olmsted Park and Franklin Park, which is connected by Columbia road, running northeastwardly, with the Strandway. The latter in turn leads along the shore to Marine Park, which is linked by a parkway, running eastwardly, with Fort Independence, which lies well out in the bay. This is the park zone lying nearest Boston on the south. A number of the parks named are connected by parkways with other not named.

It has been noted that the movement for small parks that began in the eighties was for open spaces sometimes called "squares," sometimes "parks," never "playgrounds." The nineties added the latter, and they are gradually assuming a position of more importance than the old-fashioned type of public square. This is because they are more used. Boston has the honor of being the pioneer in this movement, which has been exactly contemporaneous with that for the outer park system, a conspicuous proof that the need of small open spaces is not overshadowed by the more magnificent idea of a great co-ordinated system of outlying country parks. These playgrounds are out-door gymnasia. They are well supplied with apparatus of all kinds and are furnished with running tracks. Gymnasium instructors are placed in charge. Whosoever will may go. Boston has seventeen such playgrounds, officially classified as such in the report of the Park Department. The last report notes that other sites are being investigated. The general idea of the system of playgrounds of Boston is that playgrounds for the smaller children shall be located within a half mile of every

home, and that recreation grounds for the larger boys shall be nowhere more than a mile distant from their homes.

This playground movement is gaining headway throughout the country; all the larger cities are rapidly falling into line. One of the achievements of Mayor Low's administration in New York was the opening of eight such playgrounds. Chicago, as will be noted later, is also securing a considerable number of them.

The cities that have followed to some extent the example of Boston in preserving places of natural beauty, in addition to Kansas City and Omaha, are Hartford, Buffalo, Minneapolis, and to a smaller extent its twin city of St. Paul, the borough of the Bronx, and to some extent Brooklyn. Cities that have somewhat less developed systems are Cleveland, the upper portion of the Borough of Manhattan, N. Y., and Memphis, Tenn. Cities that are at the beginning of the acquisition of comprehensive systems are Washington, D. C.; Baltimore, Philadelphia, Harrisburg, Providence, Portland, Ore.; Seattle, Wash.; Louisville, Milwaukee, Staten Island, St. Louis and Ottawa, Canada. Such lists as these are accurate one day, but inaccurate the next because of a new recruit.

In Baltimore the movement was undertaken by the Municipal Art Society, which secured the services of the Olmsted Brothers in planning a system. Their plan, which was published in the summer of 1904, will, when carried out, give that city twenty-four new small parks, covering two hundred and four acres, additions to existing parks amounting to three hundred and twenty acres, and park connecting links, either formal or valley parkways, fifty-eight miles in length, their width varying from two hundred feet to a quarter of a mile, with yet larger outlying reservations several thousands of acres in extent. Despite the fire, a beginning has been made toward executing the plan.

In Providence the park agitation, which has been going on for some time, resulted in the appointment of a commission in November, 1904, which is to report to the Legislature in January, 1905; which report will therefore have been rendered before this sketch of the park movement is published.

In Philadelphia, forty-five organizations, including official representatives of the city government, philanthropic organizations, local improvement associations and civic organizations of many kinds, have joined with park associations under the title, "Organ-



izations Allied for the Acquisition of a Comprehensive Park System." The formation of the alliance has been accompanied by a good deal of agitation and that city now has one parkway, ten miles in length and three hundred feet in width throughout its entire length, under construction. It has approved a plan for a parkway from the City Hall, the centre of the city, to Fairmount Park, a distance of a mile, and has voted \$2,000,000 toward its construction; one-half of this parkway will probably be in use within a year. The city has provided \$500,000 for an approach to its second largest park and has placed one of its creek valleys, two miles in length, upon the city plan as a park.

Chicago has a system of boulevards which is perhaps the best known of any in the country. Its citizens seemed to believe for a long time that sufficient had been done in this direction, but it has recently been rudely awakened from that belief and has voted to remedy its needs. Mr. J. F. Foster, general superintendent of the South Park Commission, thus epitomized the situation in February, 1904: "The North Side Commissioners have authority to expend one-half million dollars for small parks or playgrounds, the West Side Commissioners one million, and the South Park Commissioners one million. The South Park Commissioners have also been authorized to expend three millions in the acquiring and improving of larger parks. These funds are available and will be used by the South Park Commissioners at any rate, without delay in the carrying out of the intention of the law. Fourteen new parks have been selected, the land has for the most part been purchased and the plans for most of them have been adopted. The president of the Board of County Commissioners has appointed a committee of members of the County Commissioners, the different park boards, the Common Council and public-spirited citizens, for the purpose of taking what steps are necessary to bring about the establishment of an outer system of park reservations, something similar to that existing about Boston."

In a letter to the writer, dated December 27, 1904, Mr. Foster shows the situation ten months later. "As I wrote you last February, the South Park district has acquired twelve new parks, and two more are under condemnation. Five of these ten are small playgrounds; that is, from six to ten acres in extent, in the densely populated part of the city. The others are larger parks ranging

from twenty-two to sixty acres. I understand that the other two park boards have made some selection for new parks for playgrounds, but have not as yet acquired any property therefor. There are five or six municipal playgrounds of perhaps an acre or two acres in extent, managed by a special park committee under the control of the mayor, that have been in operation for two or three years.

"The cost of maintaining the five new playgrounds which the South Park Commissioners have created is estimated at from fifteen to twenty thousand dollars a year each."

The committee formed to bring about the establishment of an outer park system secured the appointment of Mr. Dwight Heald Perkins by the city of Chicago and Cook County to prepare a complete plan. This plan is to be published in February, 1905.

In describing the system in a letter to the writer, Mr. Perkins says: "We have divided Chicago and Cook County into four zones. The first is inside of the present chain of parks; the second zone is comprised of the existing large parks; the third zone circumscribes them and is itself circumscribed by the fourth zone. The third zone has a park sixteen miles long in what is known as the Skokee Marshes, which lie northwest of the city; west and southwest this zone is taken care of by separate parks varying from forty to three hundred acres, connected by boulevards and country drives. The fourth zone comprises one park twenty-five miles long in the Des-plaines Valley and other parks and drives in the Sag Valley about fifteen miles in length. Some portions of these parks are twenty-two miles from the centre of the city.

"No formal estimate of prices has been made nor can it be at this time. . . . My own idea is that \$25,000,000 will cover the cost. You will understand that the entire report is suggestive, that other boards will take up and execute it as rapidly as possible in the future. The suggestions have been approved, but nothing of a legal or financial nature has as yet been done to carry them into effect."

"The Kingshighway Commission" presented a report in the spring of 1903 on a plan for joining four existing large parks of the city of St. Louis with other outer parks by means of a continuous parkway, the estimated cost of which is three and a quarter million dollars.

The plan for Milwaukee is less interesting than the proposals for other cities, because the parkways are projected to follow the line of the gridiron system of streets. One admirable feature is the proposal to join two small water front parks with a large park by securing other ground fronting on Lake Michigan, which will give a continuous drive along the water front from a point near the Court House, northwardly to the end of the built-up portions of the city.

The plans for park systems for Portland, Ore., and Seattle, Wash., show that the park movement is general throughout the country. These plans were drawn up by the Olmsted Brothers, who have also drawn a plan for a somewhat less interesting system for Louisville, Ky.

The movement has spread north of the United States, and the Dominion of Canada recently appointed a commission to study the beautification of the city of Ottawa. This city offers a most magnificent opportunity for park construction. It is intersected by so many waterways that its water front is perhaps more extensive than that of any inland city in the world. The Ottawa River, the Rideau River, the Gatineau River and Dow's Run are some of the water courses in which that "City of the North" rejoices. Naturally the recommendations urge the wisdom, nay, the necessity of taking advantage of this tremendous opportunity.

The cities have not a monopoly of the movement to secure park systems. It has spread to suburban counties. In Essex County, N. J., there were in 1894 twenty-six acres of park land. There are now 3,500 acres, and three miles of parkways, the beginning of a more extensive system. In this county, Newark and the Oranges are situated. In the adjoining Hudson County, Jersey City is the principal municipality. The Hudson County Park Commission, recently appointed, has not yet issued its first annual report. It is proposed to connect the system of that county with the Palisades Interstate Park. The fourth annual report of the Interstate Commission shows that on January 1, 1904, six of the eleven miles of shore frontage had been secured, thus preserving that much of this stretch of remarkable scenery.

These three commissions are really working out an outer park system for Greater New York. They are all accessible from Wall street as are the Bronx Parks. In the latter system are two notable parkways; one, the Mosholu, connecting Van Cortlandt Park with



Bronx Park, is six hundred feet wide and a mile in length; the other, the Bronx and Pelham parkways, connecting parks of the same names, is four hundred feet wide and two miles in length. In Brooklyn the Bay Ridge Parkway reaches the great width of nine hundred feet. For Staten Island, now almost devoid of parks, its Chamber of Commerce has proposed a complete system to occupy about four thousand acres, or one-tenth of the area of the island. This report was presented in December, 1902.

One of the most important park systems is being planned for Washington. In 1901 the United States Senate appointed a commission composed of Messrs. McKim, St. Gaudens, Burnham and Olmsted to report a plan for the District of Columbia. The report that was presented dealt largely with the development of the Mall, of which hereafter, and recommended in addition an outer park system, which, if adopted, will give the Capital of the United States an imperial system of parkways sixty-three miles in length, connecting parks eight thousand acres in extent, the outer link of which, completely surrounding the city, north of the Potomac, will connect fourteen forts built during the war for the protection of Washington. The commission calls attention to the plan of the city. That plan is fundamentally right and the commission was therefore fundamentally right in bringing it forcibly to the attention of the American people. A radial system by which streets running north and south and east and west are intersected by many diagonals offers an opportunity for embellishment which Baron Haussmann quickly realized. It is curious how many people think that Washington is based upon the plan of Paris. Man after man will tell you so, and yet Washington was founded in 1800 and its plan adopted a year or two earlier, while it was Baron Haussmann, the prefect of the Seine under Napoleon III, who beautified Paris by the radial system of streets. It is significant that the two most beautiful cities in the world, Paris and Washington, are not built upon the gridiron plan. That significance has been pointed out and the lesson is being learned. It is likewise significant that Paris has been made the most beautiful city in the world in only forty years.

#### *Group Plans.*

The outer park movement is likely to be overshadowed in popular appreciation by that for the realization of "group plans"—

plans for the grouping of monumental public buildings about a Mall. These plans contemplate the embellishment of the centres of cities, and for that reason movements for their realization appeal to a larger group of citizens.

Again, the most important illustration of these is Washington. The Senate Commission proposed a plan for grouping public buildings along the Mall leading from the Capitol to the Washington Monument and thence to the White House. This will involve the destruction of the tenderloin and the demolition of the otherwise undesirable section south of Pennsylvania avenue. The idea has received a remarkable amount of support throughout the country, and the construction of no less than nine buildings has been authorized in accordance with it. In other words, the entire plan seems to be in a fair way of realization.

The first step towards carrying it out was taken when Congress passed an act appropriating \$4,000,000 toward the total expense of \$11,000,000 involved in the removal of the railroad tracks from the Mall and the erection of a Union Station north of Massachusetts avenue. This again involved the removal of the Baltimore and Ohio railroad tracks that now make the one ugly spot in that beautiful thoroughfare, already embellished by forty-five small green spots. The importance of this is due to the fact that Massachusetts avenue will be the main connection through the heart of the city between the eastern and western portions of the park system. In addition, the location of the following buildings has been authorized in accordance with the recommendations of the commission: the Senate building, the House of Representatives building, the building for the Department of Agriculture, the Hall of Records, the District Administration building, the building for the National Museum,—all these government buildings,—and two other buildings, for the Washington University and the Daughters of the American Revolution.

Next in importance is the group plan of the city of Cleveland, the conception of which was doubtless due in large measure to the creation of the Court of Honor at the Chicago World's Fair. Several public buildings were to be erected at about the same time. It was suggested that they should be grouped in some way, and a plan has been developed whereby, from the heart of Cleveland, a Mall will extend to a monumental railroad station on the

lake front, with a small park dividing the station from the lake. At the end of the Mall, near the centre of the city, the post-office building, now in course of erection, is to be balanced by a proposed public library. Just before the railroad station is reached, a city park, already owned by the city and running at right angles to the Mall, is to be turned into an Esplanade. Fronting on the Esplanade and also on the Mall, on each side, it is proposed that a City Hall and Court House be erected. The ground for these two buildings has been bought and the plans for them are in process of preparation. The ground in the centre of the Mall is being secured by the city. In other words, this plan, which would a few years ago have been pronounced "ideal but absolutely impossible of fulfillment," is now in process of construction. Cleveland has begun the acquisition of a surrounding system of parks, the encircling ring now extending a quarter of the way from the lake shore on the east to the shore on the west.

Spurred on by the success of the Cleveland group plan, the city of St. Louis appointed a commission to prepare a group plan and that commission presented its report in October, 1904, showing alternative schemes, similar in many aspects to that of Cleveland. It is believed that one of them will be carried out. In St. Paul a magnificent capitol has recently been erected and the Park Commission has approved a plan which shows three parkways, branching from the capitol in as many directions. Around one of the parkways it is proposed to group such public buildings as may be erected in the future. St. Paul and Minneapolis have secured a great part of their water fronts on the river and inland lakes as parks and parkways. The Minneapolis inner park ring is almost complete. A more extended system of outer parks and parkways has been proposed and formed one of the notable exhibits of the Twin Cities at the Municipal Exhibition of the St. Louis Exposition. The Fairmount Park parkway will give Philadelphia an opportunity for the grouping of public buildings, which is one of the reasons advanced for its construction.

#### *Water Fronts.*

The preservation of the water fronts of American cities is beginning. The general plan is to preserve the valleys of the smaller streams in their entirety, but for the banks of greater



rivers more extensive plans are being devised. In nearly every city of Europe the water front is beautified by a solid bank of masonry, sharply defining the limits of the river, to which access is furnished by lower roadways. The higher roadways are embellished as parkways. The Seine in Paris and the Victoria and Albert embankments in London are but the more familiar examples of what hundreds of cities throughout Europe have done. This is bound to be done in America sometime, and when it is it will pay in dollars and cents.

In Washington a plan combining many of the good points of the water front treatment of Algiers—for that African city can give a great lesson to the Capital of these United States in this regard—Buda-Pesth, Vienna, Paris and Antwerp, has been recommended by the commission. In New York one of the duties of the commission recently appointed is to consider the treatment of the water front. In Philadelphia an agitation has been steadily growing for wiping out the slum which marks the line of the Schuylkill River, from the southern limit of Fairmount Park to the southern limit of the built-up portion of the city. Within a quarter-mile of the centre of the Schuylkill on either side is a section at present very undesirable for any purpose. Yet it ought to be the most aristocratic section of the entire city. It is bound to be so in time. A dozen addresses have been given during the past year urging this improvement, and this is one of the objects of the alliance of the forty-five organizations heretofore mentioned. Perhaps, after all, this development of the water front will become the most famous result of the movement for the City Beautiful.

It is significant that business organizations of the country are largely responsible for this progress of American cities. The Business Men's Association of San Francisco was instrumental in securing approval of a loan of \$18,000,000 a year or two ago, \$4,000,000 of which are to be devoted to parks, parkways and public buildings. The three most prominent trade organizations of Philadelphia are among the forty-five allied organizations. It is the Cleveland Chamber of Commerce to which, along with the Cleveland Chapter of the American Institute of Architects, the principal credit for the carrying out of the Group Plan is due. Similarly

there are three business organizations among twenty-three associations allied for the improvement of the Borough of Queens of New York City, and it was the Chamber of Commerce of Staten Island that secured the park report heretofore mentioned.

There have been difficulties in the way, but they have been surmounted. The Boston park system was secured only after thirty-eight differing municipal governments had been either mollified or compelled to surrender. The system of Providence will face a similar difficulty, only less extensive. The Philadelphia park system will not be complete unless two adjoining counties unite in the work and that co-operation has already been considered at a meeting of representatives of the counties, namely, the State Senators of the respective counties and the Mayor of Philadelphia. The park system of Kansas City was made complete by the action of an adjoining county. St. Paul and Minneapolis have together begun the creation of a co-ordinated system. The States of New York and New Jersey have joined hands in the preservation of the Palisades as a park, and the State of New York and the Dominion of Canada have preserved the Falls of Niagara.

## THE REFORM MOVEMENT IN CHICAGO

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BY HOYT KING,

Secretary Legislative Voters' League, and formerly Secretary Municipal Voters' League.

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Chicago does not wish to become boastful, but she can truthfully say that the wave of municipal reform which has spread to other cities recently, started in Chicago in 1896, and has been persistently sweeping things before it and growing in strength ever since. We had some reform fits in earlier years; for instance, we sent a half dozen or so County Commissioners to Joliet penitentiary, and drove others to Canada, but that was a mere incident. Then the County Board was reformed and high class citizens served on it for a while and the finance system of the county was revised and made safer, and we have a better County Board to-day. While Minneapolis was indicting her mayor and chief of police, and Folk, of St. Louis, was after his boodle councilmen and legislators, we could look at our council with some pride and reflect that we started in on our work early and did not have any big boodling. Franchise grabbing was the center of corruption before 1896. A substantial investment in a campaign by a candidate for alderman with boodle inclinations was considered a good business venture. Perhaps it was, temporarily, but seven campaigns of the Municipal Voters' League have shown that boodling in politics does not pay.

The league is a non-partisan organization. Under direction of the Executive Committee, facts concerning the candidates and their records are published. The simple scheme of presenting facts, was originated by George E. Cole, first president and organizer of the Municipal Voters' League. The independent vote is now guided by this information, and in many wards the better of two men is almost sure of election, regardless of politics. Of the bad men in the saddle in 1896, just three remain, reinforced by some of the old "gray wolves" who had served prior to that year and who broke



in again later. But unless these "gray wolves" are big politicians, and by that is meant, unless they control the delegates of a ward or two for city convention purposes, business is very dull for them in the new council. If they control such delegates, however, they may be allowed the gambling graft or profit from bay window and sign post permits. These are sources of a considerable revenue in certain wards.

But on the whole boodling has not paid in Chicago. Men who strutted around, flushed with drink, who wore large diamonds in a striped shirt front, and perhaps a Prince Albert coat over a white waistcoat as an emblem of statesmanship, are now serving in modest clerical positions in the city or county government. They must live. They are lucky if they have this means of sustenance, and it is to be expected that the inclination to graft, strong in them from their brief council experience, leads them to make a little something over the salary of the new positions. But others, and they were the wise ones, went back to their little shops or stores; still others are keeping saloons or tending bar; one, who was at one time reputed to be wealthy, has been seen tramping the streets penniless.

There were several reforms in the laws at about the time the Municipal Voters' League work commenced, that have had much to do with enabling the reform of the council to be brought about. The salary of aldermen was raised from three dollars a week to fifteen hundred dollars a year. The Civil Service law had just been passed when the fight on the council began. It has gradually changed the system in the City Hall completely. In the old days, the offices that had patronage to dispense were crowded with applicants and their political backers, who were generally the aldermen. The aldermen do not now feel called upon to devote so much time to the job hunters, but rather take refuge behind the Civil Service law. It relieves them of a very unpleasant detail, and gives them time for committee work. The mayor, chief of police and other department heads are likewise relieved by the Civil Service law and there is a great deal more attention paid to department business now than there was in the old days.

The new aldermen are quite different from the old in personal appearance, as well as in their methods and morality. The proprietor of a saloon and gambling house was long with them, but he was deposed from control of the finance committee and he no

longer dictates the make-up of the other committees. The new aldermen are substantial business men, ordinary looking business men, honest men who are not business men, maybe mechanics or small tradesmen, all of them serious, devoting to council work the same attention they would to other business, analyzing conditions, criticising, correcting. They have studied street railways from every standpoint, in Chicago and abroad, and are prepared to deal directly with the most astute lawyers and practical railway men on this subject. They have inaugurated and are pushing a system of small parks for the promotion of which they got a bill through the Legislature. A year ago they investigated dishonesty in the departments, a committee, with Alderman Ernst F. Herrmann at its head, sitting almost daily and hearing testimony.

So jealous is the City Council of its reputation that at a special meeting Saturday afternoon, December 17th, the following resolution against one of its members was adopted by a vote of fifty-five to five:

"**WHEREAS**, On December 5, 1904, in debate upon the floor of this council, Alderman Hubert W. Butler made the following charges, attacking the integrity of the membership of this body:

"That certain lawyers in the council will do for clients what they will not do for themselves.

"That a certain element in the council want to show what they can do in the traction situation in connection with the ordinance; and

"**Whereas**, At the council meeting held on December 12, 1904, said Hubert W. Butler, in retracting such charges, declared they had been made without warrant and were without foundation in fact; and

"**Whereas**, Such admission shows an attempt to destroy the reputation of members of this body by deliberate mendacity; therefore be it

"**Resolved**, That the sergeant-at-arms be and he is hereby directed, in accordance with the rules of this council, to cause the said Hubert W. Butler to vacate his seat and come before the bar of the council and receive censure from the chair. . . ."

The chair (Mayor Harrison) directed the sergeant-at-arms to cause Alderman Butler to vacate his seat and come before the bar of the council, where he censured him as follows:

"Alderman Hubert W. Butler, the City Council of the city of Chicago, of which you are a member, finds you guilty of deliberate and malicious false statements, attacking the integrity and reputation of your colleagues, and in so finding declares said statements unworthy of a member of this body. Your long service in this council, the superior educational advantages which you

have enjoyed, and your great experience in parliamentary debate and practice renders your offense against the common decencies of public life the greater and the more inexcusable. Your statements have been published broadcast throughout the country and have done incalculable damage to the city of Chicago and the body of which you are a member. The unwarranted and unjustified slanders of which you have been guilty might have seriously affected the confidence of the public in this body, and have greatly impaired its capacity to do the work with which it is charged, and which it has honestly sought to accomplish. Your colleagues, by the adoption of this resolution, spread upon the records of this council their utter condemnation of the motives that impelled you to attempt deliberately to besmirch the reputation of your fellow members. You will now withdraw from the bar of the council."

A careful investigation in committee had failed to show any ground for Alderman Butler's charge.

When one dwells upon the work of the Municipal Voters' League of Chicago, he is dwelling on only one phase of reform work in that community. Reform is organized here. So much so, that letters are received from citizens all over the United States inquiring into the methods and accomplishments of the Municipal Voters' League, the Legislative Voters' League and the Citizens' Association. Because of this triple arrangement, reform work seems split up. Why, we are asked, do you have a Municipal Voters' League fighting to keep boodlers out of the council, and a Legislative Voters' League doing a similar work for the Legislature, and then a Citizens' Association unearthing evidence and prosecuting to indictment and conviction those boodlers who do break into office. Why is not all this done by one organization? Our answer is that there is a limit to the capacity for work of any one group of men. There are other reasons, but that is good enough. But the organizations work together nevertheless. The tabulated information collected by each is shared by the others. The same class of men make up the executive committees, different individuals, but they are all one in sentiment. To a large extent, the same contributors support the work of all three organizations. These are the wealthy business men, the bankers, if you please, who sometimes rest under the unjust stigma of being financially interested in boodling. They suffer this stigma much the same as the lawyers suffer for the shysters and pettifoggers in their midst. There are crooked bankers and financiers and then there are a great many more good



ones. The chairman of the committee that started the Municipal Voters' League was a bank president, and its first treasurer was a bank president, and so is its present one. The first chairman of its Finance Committee was a loan broker and the second a bank president. In no instance, it can be fairly stated, has the fact that a subscription was paid, been used to influence the action of the organizations. Insidious influences and attempts to get modifications of the leagues' positions generally come from so-called reformers, not from our wealthy citizens.

And this leads us to say that not only are a majority of our successful representative citizens in Chicago honest and patriotic, but they are reinforced by the great majority comprising the middle class. And this condition politically is true throughout the United States. The trouble is not in the sin of commission, but in the sin of omission, of indifference, of laziness, if you please, but not corruption. The interest of 85 per cent. of the voters is in the direction of honest, economical government. Take all those professional politicians, camp followers, promoters, contractors, criminals and gamblers, who profit by corruption in government or lax enforcement of law, and they probably do not exceed 15 per cent. of the population. This 15 per cent. is permitted to dominate the 85 per cent. because it is compact, well drilled and persistent, held together by the one binding tie, the hope of gain.

We are sometimes asked what is the information desired by these organizations for reform and how do they get it; where do they go. The Citizens' Association is a good starting point. It has been in business since 1874, when it started in with Franklin MacVeagh as its first president. It has made investigations since that time. It has preserved the record. It can tell you who is in the public service, what different political offices or jobs he has held, and what his different positions in the political organizations have been. If he has been in a legislative body, you will be handed the records of the proceedings of that body and a box of newspaper clippings commenting on the work of that body at that particular time or session. If he has held an administrative office, either elective or appointive, it will hand you a box of newspaper clippings concerning the administration of that office while he was head of it. No wonder officials are squeamish about newspaper comment. Newspaper comment preserves a record and the people are given

that record to review every time a disreputable candidate presents himself. The people do not have to remember, with the leagues to keep them posted. Formerly the politicians laughed at newspaper comment and said, "What do we care what they say now. The people's memory is only three months long. We have a chance to make good at the end of our term."

But to resume as to the methods of getting facts. The newspaper comment must be verified. It is only a starter. The investigation leads to new disclosures and facts. If the candidate has never been in the public employ, he must be investigated just as a business man would investigate the credit of a new customer. His neighbors and business men in his locality must be asked for their opinions; whether they think well or ill of him; if ill, why? There is a reason. Run it down and maybe you land on a penitentiary record or find a record that would have resulted in a penitentiary sentence if influence had not interfered. These leagues have such data. Sometimes they do not use ammunition of this kind. The men do not seek renomination, or seeking it, are defeated with less use of powder. The heavy artillery is not brought into play.

One of the greatest works of the Citizens' Association is the seeing to it that the criminal acts of politicians are made matters of record. This is accomplished by presenting facts to the Grand Jury, following George E. Cole's idea in his Municipal Voters' League campaigns, of dealing in facts. Having branded the crook, his political future is looked after by the leagues. It is a great system. George E. Cole took up the work of the Citizens' Association after retiring from the Municipal Voters' League, and in one year placed beyond the pale of politics three county civil service commissioners, two town collectors and a town supervisor, besides collecting data about innumerable deputies and other town officers. This material is all accessible when the men aspire to become statesmen. These men were all grafters in one way or another. Very recently the association, under the leadership of Louis A. Seeberger, president, and Shelby M. Singleton, secretary, dug into the health department and very nearly cleaned out all the plumbing inspectors. To break these barnacles loose, protected as they were by their superiors, it was necessary to prove the acceptance of bribes. This was done before the Grand Jury and five men were indicted. Afterwards the head of the department, Health Commissioner Reynolds,

was compelled to suspend others on the mere charge of incompetency and neglect of duty. That charge is generally sufficient to reach a grafter, for without neglect of duty there can be no graft. An important feature of the association's work consists in compelling a better enforcement of law by bringing pressure to bear upon negligent officials. By persistent efforts in this direction it has during the last year practically wiped out the 1,200 policy shops that formerly took \$5,000,000 a year from the poor of the city.

The Citizens' Association inspired the organization of the Legislative Voters' League. The latter organization was organized at an annual meeting of the Citizens' Association in 1901. Rollin A. Keyes, aided by Murry Nelson, William Kent, and a few business men, was responsible for a program which caused conditions in the Illinois Legislature to be placed before the public by Judge Lawrence Y. Sherman and Samuel Alschuler. They addressed the association on the subject. The evening's work resulted in the formation of a committee composed of Rollin A. Keyes, Judge Murray F. Tuley, Murry Nelson, John H. Hamline, Edward B. Butler, John V. Farwell, Jr., J. Harry Selz, A. C. Bartlett, Richard M. Bissell and George E. Cole. This committee organized the league by electing an Executive Committee and placing George E. Cole at its head, taking him away from the Citizens' Association. The league proceeded in its first campaign along the same lines as the Municipal Voters' League, disregarding party lines, collecting facts, preparing records and presenting them to the public. It was hampered somewhat by the fact that a Republican United States Senator was retiring and the Legislature was to elect a successor. This raised a party issue. Again it encountered this condition; in some districts, only three candidates are nominated, two by one party and one by the other. All three are elected because a district is entitled to three representatives, and the voter has no choice. When an independent comes in it breaks the combination. The league was obliged to go outside of the party lines in some instances on account of these combinations and put up independents to oppose bad candidates. It elected three of these independents. They ranked among the able men of the Legislature. One was Oliver W. Stewart, the prohibition organizer, leader and orator. Clarence S. Darrow, prominent in labor circles and attorney for the miners in the settlement of their difficulties in the anthracite district, was another. John J.



McManaman, a young attorney, was the third. Besides there were a great many excellent men elected on the party tickets.

These men went down to Springfield in 1903 and contended with the same conditions, with which the reform aldermen had contended when the complexion of the council was just changing. They met in committees with venal men chosen from the lowest walks of life, who were there for the sole purpose of blackmail. The blackmailers did not conceal their motives. The speaker of the house who assigned them these "good" committees knew their purposes. It was their political reward for supporting the speaker's election. It was the same old program, at one time followed in the council; the crooks were standing together, firmly organized, and putting up a strong game of bluff, intending to call down the corporations. But the end of this régime was sudden, startling, unheard of in the history of American states and magnificent in its result. Reform did not wait for another election. The crooks had gotten into the saddle through greater experience and astuteness, but they carried things too far and with too high a hand.

One day in April, after weeks and weeks of fighting with an unfriendly and arbitrary speaker, bad committees and bad floor leaders, the honest majority was stung to action. Almost as one man its members moved on the speaker and drove him and his little band of law breakers from the house and reorganized it, and then proceeded to undo all the organization had done, and undo it in an orderly and parliamentary way. Of course it was not legal, but it was effective. It created a public sentiment in favor of honest men who had the nerve to use physical force to preserve the dignity and sanctity of the Legislature. The decent newspapers listed the names of these ninety-seven out of a total of one hundred and fifty-three members and put them on a roll of honor. And although these men allowed the regular organization to resume peaceably, the decent members ran things after that. The house organization did as it was told and it was told only that the constitution of the State of Illinois must prevail and the members be allowed their constitutional rights.

This happy outcome was forced, by the fight to pass the so-called traction bill, a bill to enable cities to own and operate their street railways. Chicago was particularly interested in legislation of this kind. Its principal street railway grants were about to expire

under the terms of the ordinances, but the companies were claiming a longer term under an ancient act of the Legislature. The people of Chicago were determined to get rid of these claims as a condition of new franchise ordinances; and in such new ordinances to reserve the right of municipal purchase at or before the expiration of the franchises. The original ordinances themselves, which it was claimed the legislative act had extended, contained provisions for municipal purchase, but the city was without legal authority to exercise this right. With such authority, it was obvious that in the approaching negotiations with the companies the city would be in a far better position to protect its rights and make valuable reservations for the future. Nevertheless, it was openly claimed that a Cook County politician of influence and the editor of an organization newspaper had asserted that there would be no traction legislation at this session. It was believed by some that the street railway companies, especially those formerly controlled by Charles T. Yerkes, desired the defeat of any bill that would really give the city the power it desired and needed. A carefully prepared and conservative bill for municipal ownership, drawn by Walter L. Fisher, secretary of the Municipal Voters' League, and introduced by Senator Mueller, was backed by Chicago's mayor and aldermen, the reformers and many prominent citizens. It had passed the senate and was before the house. The dominant political faction in control of the house, owned by the machine leaders like the editor above referred to, sought first to kill the Mueller bill and then to substitute for it a sham bill conferring no effective power on the city.

The members were roused to white heat over the methods pursued by the organization to suppress fair consideration of these measures. Mayor Carter H. Harrison and many of Chicago's best aldermen were on the floor. Graeme Stewart, Harrison's opponent for mayor, and John M. Harlan, Stewart's rival for the Republican nomination, were there. Judges, representatives of the Municipal Voters' League and the Legislative Voters' League and many citizens of Chicago were occupying seats about the lobbies awaiting developments. The excitement was intense.

A little committee of four members of the house, representing the two great parties and factions within the parties, brought together by the Legislative Voters' League, had been debating nightly over the methods to be pursued to secure fair play in considering

the bills. Representatives of this committee had waited upon the speaker to ask if he would allow members their constitutional right to roll calls and to recognition on the floor. His answers had been non-committal and evasive. Unfair exercise of the speaker's power was anticipated. Day by day the little committee grew in numbers till just before the battle, it included over half the membership of the house. Practically all the Cook County Democrats and all the Cook County Republicans (except the strict organization men) together with the three independents and some members outside of Cook County, joined in the determination to secure their constitutional rights. Force was openly advocated in the meetings of this voluntary steering committee. No peaceful method of securing those rights could be advanced by the shrewdest lawyers or most experienced politicians. Many advised that physical force was the only remedy against the violation of the constitution and plain rights of the members. Mandamus could not correct the journal. Criminal prosecution was deemed inexpedient and of doubtful success.

On this memorable day, true to prediction, the crisis came. In dead silence, at noon, when the business of the morning had been disposed of, the reputed author of the organization's measure rose. He offered his bill as a substitute for the Mueller bill desired by the Chicago City Council. Pandemonium broke loose. Fifty members were on their seats and on desks demanding a roll call. Five would be entitled to it on demand, under the constitution. In the face of this demand, the speaker's lips were seen to move, the gavel to go up and come down and it was known that the substitution had been made, and the organization had done its work. Holding the floor, the organization leader moved in rapid succession six amendments to his bill so substituted and six times the gavel was seen to fall in the face of an ever-increasing tumult of cries for "roll call, roll call." Women filled the seats back of the speaker, too frightened to move in the face of the mob demanding their retirement. The most dignified members were in a frenzy and only held in check by the presence of the ladies behind the speaker, placed there, it was suspected, for this purpose. But when the last act of arbitrary power had been exercised, with one accord, the majority, already on its feet, made a spontaneous move toward the speaker's chair. In an instant, a struggling, maddened crowd of members



were battling on the right of the speaker in an attempt to seize him and they were prevented only by the political henchmen of the organization paid to wear titles as janitors and policemen. All this time, the Western Union wires were hot with dispatches to the Chicago newspapers, and pencils and typewriters were doing double duty that day to pave the way for the startling headlines that must appear in the extra afternoon papers on the streets of Chicago.

But the speaker escaped. He did not run perhaps, but his movement was not deliberate. He retired with as much dignity as great haste permitted him to assume, and left on that side where the disorder was least and between a double row of house policemen. It was some hours before he was again seen. The house members remaining in session (ninety-six of the one hundred and fifty-three) did not at first intend that he should return without the state militia as an escort. They prepared to and did organize the house. As soon as the turmoil had ceased, a representative, after many efforts, made himself heard. He was not heard till it was known that his object was friendly, and then to make a motion to elect a temporary speaker in the absence of the regularly elected speaker. A clerk, a doorkeeper and a sergeant-at-arms were duly elected and by this time, order being restored, the house proceeded to business as though nothing had happened. As already stated the work of the organization was undone, and what was transacted at this rump meeting was afterwards in substance duly repeated in regular session and became embodied in the laws of the state. And thus the people got their bill for municipal ownership, but they gained something a great deal more important than the bill. They had demonstrated that deep down in the public body is a spirit that will not brook anarchy and defiance of law, that when all other means fail anarchy will be met by force and the law sustained. It was a great victory for reform and it will be many a day before the constitution will be trampled on in the Legislature of Illinois.

The effect of the league's campaign was wholesome. When the session of 1903 closed, it was able to commend the records of twenty-seven of the forty-five retiring Cook County members. Only nine retiring members of the previous session had good records. The league condemned on their records nineteen Cook County members of last body as against twenty-five bad ones retiring two years ago. One of the worst and oldest in service in the house, who had crept

in by a greatly reduced majority, quit the field. The two campaigns have revolutionized the house. The improvement is not due so much to the changed character of the men composing the body as it is to an awakened public sentiment which demands honest, capable service.

The house of 1905 is now in session. It has been organized on wholly different lines from the former. It is in control of the very element that finally overrode the speaker two years ago. It has for speaker a man who in the last session made his reputation as a fair and impartial presiding officer over the Judiciary Committee, the one committee of the house that was conducted on parliamentary lines and whose work was open and above board. The Senate is presided over by Judge Lawrence Y. Sherman, now lieutenant-governor, who, with his followers, lead the revolt in the previous session of the house.

One of the first acts of the new house was to defeat the iniquitous pay-roll, an abuse that has grown to startling proportions. The mere fact that roll calls would be allowed, enabled the league to bring about this reform. In Illinois the General Assembly is entitled by law to seventy-three employees, whose daily compensation amounts in total to a little over \$200. This daily expense has been increased by leaps and bounds until at the last session it grew to over \$900 a day. It was the practice of the both houses, on the first day, to authorize an expenditure for this purpose of \$100,000 for the session, and then the Senate, House and Secretary of State proceeded to pack the pay-roll with henchmen of the members. Many of those who drew pay never came to Springfield at all. Yet there appeared on the rolls of the last Legislature some 364 names under various titles. Of these, ninety-three were labeled janitors and seventy policemen. All this was exposed by the league in a clearly written bulletin and mailed this year to every member and to the newspapers over the state. The newspapers took it up and the league then proceeded to organize a fight within the Legislature to defeat the customary resolutions to authorize additional appointments over the statute, with the result that a greatly reduced quota of extra employees has been agreed upon.

This successful fight of the Legislative League should result in a biennial saving of \$75,000 to the state as well as in wiping out an iniquitous system that corrupts and pollutes all who participate in it.

The sensation of the present session has been the expulsion by the house of one of its own members, Mr. Frank B. Comerford. On January 27th last, Mr. Comerford, a newly elected member and a young man of thirty, charged in an address before a law school, "That the Illinois Legislature is a great public auction, where special privileges are sold to the highest corporation bidders."

Upon this statement becoming public, a committee of seven was appointed by resolution of the house to investigate the charges. On February 8th the committee reported that the charges were not sustained by any evidence that would affect the integrity of the present house or any member, and a resolution for expulsion was offered. It was adopted by a vote of 121 to 13.

Speaker Shurtleff rose; the house was in dead silence. He hesitated a moment:

"Will the gentleman from Cook," he began. Mr. Comerford rose.

The speaker began again: "Will Mr. Comerford please retire from the floor of the house?"

"I will, Mr. Speaker," instantly responded Mr. Comerford, and walked down the aisle and out of the chamber.

"The clerk is instructed to strike the name of Frank D. Comerford from the rolls of the house," announced the speaker, and this ended the formalities.

And this completes the story of the political uplift that began in the Chicago City Council and has now reached the Illinois Legislature. The events of the last two sessions have startled the state and concentrated public attention on the people's law making body. The revolt of last session was the death struggle of the old régime. The action of the present house in expelling Mr. Comerford is the assertion of its self respect. The House of Representatives of to-day is the best Illinois has had since the Civil War.



## THE HOUSING PROBLEM IN AMERICAN CITIES

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BY LAWRENCE VEILLER,

Secretary, City Club, Deputy Tenement House Commissioner, New York,  
1902-1904.

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The great social and political problem of the times is the problem of the city. So grave has it become that many thoughtful men seriously question the adequacy of the democratic form of government, and believe that it is no longer suited to the conditions which prevail in many of the large cities of America. It certainly was not within the thought of the framers of the Constitution that we should have in a hundred years, cities containing several million inhabitants, drawing their population from every country of Europe, ignorant of our language and our customs, alien to our life and our thought. Forms of government, methods of education, conditions of life, suitable for a homogeneous nation such as existed in this country a hundred years ago may well be unsuited to the vast conglomerate population of the large cities of to-day. The development of cities has come with the change from agricultural to industrial life, and the evils attendant upon that development have not been unanticipated. In England, from Elizabeth's time to the days of Charles II, every means within the power of those holding the reins of government was employed to prevent the growth of huge centres of population. The fear of the plague, the fear that the population would be "poisoned by breathing in one another's faces," that the police could not preserve order with such vast numbers of people, led to numerous efforts to prevent the growth of congested centres.

It is not perhaps generally known that as early as 1580, a proclamation was issued in London prohibiting the erection within three miles of the city gates of any new houses or tenements upon sites where no former houses had been known to have been erected.

Some years later, the authorities went so far as to order that only one family should live in each house, that houses erected within seven years and still unlet should remain empty, and that all unfinished buildings on new foundations should be pulled down.

In the effort to stem the tide toward the cities, in the reign of Charles I and even earlier, persons of means were ordered "Within forty days to resort to their several counties and with their families continue their residence there, and not to put themselves to unnecessary charge in providing themselves to return in winter to the said cities (London and Westminster), as it was the King's firm resolution to withstand such great and growing evil." How strong the feeling of the authorities was, can be gauged by the fact that in 1635, a Mr. Palmer, a large land-holder in Sussex, was fined one thousand pounds for disobeying the proclamation as to living in the country and remaining in London after the prescribed period. To our democratic minds these royal edicts seem strange and foreign, yet one is inclined at times to wish for the rule of a benevolent despot who would adopt similar measures. I suppose **there is hardly one of those who have worked for many years in the congested quarters of our large cities who has not at one time or another desired that the city might be purified by fire, and that whole sections might be thus destroyed.** But the thought has always been checked by the fear of what might rise, phoenix-like, from the ashes.

How far the fears of our English ancestors as to the effect of the development of large cities were justifiable can be determined by a consideration of conditions as they exist in America to-day. The conditions are by no means the same in different communities, though everywhere will be found the same underlying evils, manifesting themselves in different places in somewhat different forms and varying greatly in extent and intensity. New York, cosmopolitan in its population, is equally cosmopolitan in its social problems. There will be found the problems of all other American cities, sometimes only in the germ, often, however, developed to an extent not dreamt of elsewhere. In the experience of New York may be found a lesson for every other city. There we have in their most impressive aspects the results of years of neglect and misrule. New York may well serve as a dreadful warning to other communities of what may come from present tendencies, if allowed to continue and if not checked in time. The main evils from which the poor in the large

cities chiefly suffer are lack of sufficient light in their homes, lack of fresh air not only in the houses and courts but even in the public streets, unsanitary and filthy conditions in cellars, yards and courts, defective plumbing and inadequate and antiquated sanitary conveniences, overcrowding, excessive rents, lack of opportunity for healthful play for children, difficulties of social life that practically amount to a denial of opportunity for recreation, amusement and ordinary social intercourse, restricted opportunities of education, conditions of labor that seem almost industrial slavery, with constant temptations on every side to intemperance and vice as a welcome refuge from intolerable social and industrial conditions.

The causes of these evils are not to be sought in any one thing but in a multitude of influences operating through a considerable period of time. Some of the evils, it is true, are peculiar to one city; they may, however, at any moment appear in any other of our large cities. Others are common to all the cities of this country. Underlying them all will be found two main sources of evil—neglect and greed. Neglect on the part of the community, failure of its citizens to recognize evil tendencies as they develop, dangerous ignorance on the part of citizens and officials of what is going on within the city's gates—a feeling of safety and of confidence that all must be right, because they see little that is wrong, that things cannot be bad as long as they are hidden, a false civic pride that believes that everything in their own city is the best, a dangerous sort of apathy, content to leave things as they are, a *laissez faire* policy which brings forth fruit of unrighteousness. Greed on the part of those who desire to secure for themselves an undue profit on their investments, who are willing to traffick in human lives, to sacrifice the health, and the moral and social welfare of countless thousands so that they may become enriched thereby.

Of the many problems that press upon us for solution in our American cities none presents so many startling aspects as the problem of the housing of the working people, a question which has vexed old-world cities for over half a century, and one which we in America have been conscious of for seventy years. It might have been expected that in a new country under democratic institutions, planned on a broad and liberal scale, these municipal sores of the old world would not have appeared, but the causes which have produced them have been the same in New York as in London, or in



Paris. Avarice and greed, combined with indolent municipal neglect produce the same results on both sides of the ocean.

It is only in very large cities that there exists what may be called a "tenement-house problem," although in nearly every city there is a housing problem. While a community is small, land is necessarily cheap and the evils of overcrowding, lack of light and air, lack of privacy, and the consequent physical and moral degradation which follow, are unknown. Traced back to its source, the beginning of bad housing conditions is the same in every city. It first manifests itself when two or three families occupy an old mansion, formerly the abode of one wealthy family, but no longer in a fashionable part of the city, and gradually falling into decay. As one house thus changes in a neighborhood, before long the whole neighborhood becomes similar, and we have a large population living in houses not adapted to the uses to which they are put, with the inevitable results of bad sanitation, overcrowding, and the numerous other physical and social evils which soon follow. Unscrupulous landlords and builders are quick to see that by crowding people closer and closer together they can greatly increase their profits, so that it soon becomes advantageous to them to build new buildings planned solely with the view of housing the greatest number of people upon the smallest area of land. Thus has arisen the great tenement-house system of our American cities. One of the greatest evils of this system is the evil of overcrowding, which one would expect to find only in those communities where there is a little vacant land or where the pressure of population is so intense as to render a scarcity of living accommodations unavoidable. This phenomenon, however, is by no means so limited, but is to be observed in nearly every one of our large cities, in such cities as Philadelphia, Buffalo, Chicago, Pittsburg and others where there is no scarcity of vacant land, nor any serious lack of sufficient living accommodations. Crowding is bad enough in its effect on the human race, but *overcrowding* is a word fraught with fatal significance.

There are two main manifestations of this evil which should be carefully distinguished. The one most commonly understood is that which relates to the overcrowding of the homes of the poor, the use of individual rooms or apartments by a greater number of people than is proper for the health or moral welfare of the inhabi-

tants. It is this phase of the evil which exists to so great an extent in Europe, especially in London and in other English cities. The other phase which seems the larger question, serious as the former is, is almost unknown in the European cities, at least as it exists in New York. It is the overcrowding of limited areas with a densely packed population, and it is to this condition of affairs that I would especially direct attention. In one small portion of Manhattan Island, the district south of Fourteenth street and east of Broadway, dwell over 500,000 human beings, a population in itself greater than that of any other American city except Chicago, Philadelphia, St. Louis, Boston and Baltimore. A population greater indeed than the entire population of each of the following states and territories: Arizona, Delaware, Idaho, Montana, Nevada, North Dakota, Oregon, New Hampshire, New Mexico, Rhode Island, Utah, Vermont and Wyoming.

Were this city within a city composed chiefly of native-born citizens, speaking the same language, actuated by a common patriotism, and brought up under the same influences and surroundings, the consequences of this congestion of population would be serious enough, but where it is a city composed of people from every nation, alien to our life in nearly every way, ignorant of our language and brought up under conditions, social and political, that are entirely foreign to the ones under which they are now living, the results are fraught with the most serious consequences to the community. The mere herding together of such vast numbers of people in such close proximity would in itself engender a train of evils, but with the other disturbing factors added, the evils are greatly intensified.

No conception of the existing conditions can be obtained from any general statements. To say that the lower East Side of New York is the most densely populated spot in the habitable globe gives no adequate idea of the real conditions. To say that in one section of the city the density of population is 1,000 to the acre and that the greatest density of population in the most densely populated part of Bombay is but 759 to the acre, in Prague 485 to the acre, in Paris 434, in London 365, in Glasgow 350, in Calcutta 204, gives one no adequate realization of the state of affairs. No more does it, to say that in many city blocks on the East Side there is often a population of from 2,000 to 3,000 persons, a population equal to that of a good-sized village. The only way that one can understand the

real conditions is to go down into the streets of these districts and see the thousands of persons thronging them and making them impassable. So congested have become the conditions of some of the quarters of this city, that it is not an exaggeration to say that there are more people living there than the land or the atmosphere can with safety sustain. The limits have not only been reached, but have long been passed. The city may not inappropriately be compared to the human organism, and thus considered it presents many interesting and impressive phenomena. Its streets are the veins and arteries through which the blood circulates, its parks are the lungs through which it breathes, and civic spirit and enlightened public sentiment are the directing intelligence which controls its movements and its life. Congestion has its effect on all of these physical parts of the city's organism. The gradual growth of some vile slum, such as was the old "Mulberry Bend," the congestion there of a degraded, semi-criminal population stops the circulation of the city's healthful currents and ultimately gangrene sets in and the offending portions have to be cut out with the surgeon's knife. It is a serious mistake to let the conditions get so bad that so radical and so serious a remedy is necessary. The blood once poisoned is never entirely healthy again and it is only a little while before a second operation is necessary. Five years after we destroyed "Mulberry Bend" in New York, we were called upon to perform a similar task in Little Italy, and to-day one can place his hand upon as many as fifteen or twenty similar centres of decay. As with the blood, so with the lungs of the city; congestion there is as fatal as in the human body, and when the controlling intelligence is weakened, when congestion of the brain sets in, when civic spirit becomes dead, and public sentiment slumbers, paralysis of the whole organism follows as surely as it does with man.

The physical effects of overcrowding, while more observable, are no more serious than the social and industrial ones. There is not space to do more than merely indicate some of these evil effects. The destruction of home life, the weakening of the parental influence, the falling off of religious faith, the changed relation of the sexes, the absence of privacy, the intrusion of strangers upon the family life, the use in common of facilities of living where propriety and decency demand their restriction to a single family, the constant sight and sound of debasing influences from which escape is impos-



sible—all have their weakening and lowering effect upon moral standards. The social consequences are almost as serious as the physical ones. In place of the home and the church, are the street, the dance hall and the saloon. Overcrowding operates industrially almost as much as it does physically. With the abnormal increase of population through immigration, a vast horde of workers each year are brought to compete with the workers already here. Accustomed to lower wages and to a lower standard of living, they underbid them both socially and industrially, until the standards sink lower and lower. And from this industrial overcrowding we have that peculiar evil known as the "sweating system" by which men and women and even children are ground down in the treadmill of human labor, set to mean tasks and stunted intellectually and physically, forced by necessity to incessant toil.

One of the most serious effects of overcrowding and congestion of population is what I may be permitted to term social friction, the clashing of one life upon another, or rather of thousands of lives upon a single one; the disturbing nervous effect of the presence of so great a mass of human beings creating a social condition similar in many ways to the atmospheric conditions which exist before the coming of a thunder storm. This cannot be realized except by those who have lived in the more crowded districts of the city, where there is never quiet or stillness, but always the unceasing roar of the city's life. One is vividly reminded of Dante's "Strange tongues, horrible cries, words of woe, accents of anger, voices high and hoarse, and sounds of hands with them, were making a tumult which whirls forever in that air dark without change, like the sand when the whirlwind breathes." The mere ordinary processes of living are fraught with social friction at almost every point—the drawing of a pail of water, the playing of the children together, the simplest and most ordinary human functions become the occasions of strife and discord.

The change from the private dwelling to the crowded tenement is far-reaching in its consequences, and the effect is felt on the community physically, socially and morally. Its effect on the individual members of the community is also felt in these three ways. The effect, too, on democratic institutions is far-reaching and serious. The whole theory of our government is based on an intelligent electorate, upon the assumption that each citizen has a direct personal

interest in the welfare of the country, that each member of the community is, to a certain extent, a taxpayer, with a personal interest in the affairs of that community. This was so when our government was founded, but it no longer is so. It certainly is not so in our large cities. The modern city is the most important factor in destroying a conservative point of view on the part of the working people. Where a man has a home and owns it, he has an incentive to work industriously, to be economical and thrifty, to take an interest in public affairs; every tendency makes him conservative. But where a man's home is three or four rooms in some huge building in which dwell from twenty to thirty other families and this home is only his from month to month, what incentive is there to economy? What is there to develop a sense of civic responsibility or patriotism? The change from the private dwelling to the crowded tenement, serious as it is in its effect on our native-born citizens, is even more serious when it affects the foreign elements of our population, who have come from rural, peasant life in Italy, Germany or Russia, where they have had ample space, abundance of light and air and absence from overcrowding, and have lived in sparsely-settled communities, and not in the close proximity which exists in cities. Such a family is suddenly compelled to make the transition from a life of this kind to the life of the crowded tenements, and in a country where everything is alien; where the language and customs are foreign and strange, and is suddenly called upon to adjust old habits to totally new conditions. This would be bad enough were some effort made to intelligently guide these people through their transition period, but no such effort is made. They are left to learn for themselves by bitter experience the difference between their new life and the old one, and because they do not immediately adjust themselves to this change we are apt to wonder, and to consider them an undesirable element of the population.

What must be the physical effect of this tremendous change in the living environment of those foreigners who come to these shores each year? What must be the contrast between the badly ventilated, overcrowded tenement house, and the simple dwelling of the small Italian village? The bad effect upon the community of a congregate form of living is by no means limited to the poorer people. Waldorf-Astorias at one end of the town and "Big Flats" at the other end are equally bad in their destruction of civic spirit and the responsibilities

of citizenship. It is but recently that the rector of one of New York's large churches complained that he found it impossible to reach the dwellers in apartment houses. The effect of living in this class of building, and even more so of living in hotels, is bound to have serious consequences for the nation. It means gradually the breaking down of family life; it means that children become undesirable; it means that the citizen, no longer being a householder, no longer comes into contact with the different branches of the municipal government and no longer has the same interest in the affairs of the community; he no longer has to deal with the city's Water Department; he no longer has to deal with its Health Department; with its Department of Street Cleaning; but all of his relations with the city government are taken from him, and in return for it he pays all these obligations, financially, by paying rent, but too frequently he pays them in no other way. The result must necessarily be that there are each year an increasing number of citizens who no longer have a direct interest in the affairs of government.

The housing problem is a threefold one, and, like human life, looks to the future, the present and the past. Its solution lies along three definite lines of action: First, as it affects the future. It is obvious that no house should be erected hereafter which does not have adequate light and ventilation, sufficient protection in case of fire, proper sanitary conveniences and make home life reasonably possible. The first step, therefore, in the solution of the housing problem, must be to prevent the erection in the future of bad types of houses, and to be sure that good types are erected.

The second direction in which the solution of the housing problem lies concerns itself with the present, and is in seeing that existing tenement houses are maintained in a sanitary and safe condition; while the third direction looks to the past and seeks to remedy the errors of former years by compelling the reconstruction of the old houses so as to make them fit for human habitation.

In seeking to solve the housing problem, therefore, it is important that all three of these phases should be considered. Simply seeing that existing laws are enforced will do little good if the existing laws are inadequate and permit the erection of bad types of houses or permit existing houses to be maintained in an unsanitary condition. As most of the housing evils in our large cities have arisen because of the absence of wise restrictive legislation it is



obvious that the remedy for the conditions lies with the proper regulation by the state of the conditions under which such types of buildings may be constructed and operated. The directions effort should take, therefore, are toward legislative control and municipal regulation, and this is so in every large city. It is clearly the duty of the state to see that conditions shall not arise under which citizens shall be denied the ordinary conveniences of living. It is unquestionably the duty of the state to see that every human being is not deprived of his God-given right to light and air. In the same way it is the duty of the municipality to regulate the operation of such buildings and to see that in their management there are no conditions which are inimical to the public welfare. Notwithstanding this responsibility of government, activities should by no means be limited solely to those of governmental and municipal agencies. There is a very important field in housing reform for private effort, though the fields of public and private effort are distinct. There are many things which the government may do which cannot be done effectively by private citizens, and there are many things that it is better for the private citizen to do than for the government to undertake. It is quite impossible, for instance, for private effort to see it effectively that thousands of tenement houses are maintained in a sanitary condition. On the other hand, it is not a part of the function of government to engage in the construction and operation of tenement houses.

One of the most effective directions in which private effort may work is in the improvement of the old houses, a legitimate form of private effort and a proper field for the exercise of the activity of public-spirited citizens. This method of reform has been carried on with great success in London by that pioneer in the housing movement, Miss Octavia Hill, whose principles have become so well-known as to give to the method her name. Her idea has been to buy an existing tenement house, not to disturb the tenants who are in it, but to gradually improve the houses and thus slowly change the standard of living of the occupants. It is an educational scheme of far-reaching consequences, and has worked with very great success in English cities. Similar efforts have been made in Philadelphia. In New York, Miss Ellen Collins, some forty-five years ago, purchased several dilapidated tenements in the Fourth Ward and then put them into operation on the Octavia Hill principle. Miss

Collins' methods have brought with them great success for many years. Similar efforts have been made in New York at different times, but have not been uniformly successful. In Philadelphia an association of public-spirited men and women, known as "The Octavia Hill Association," was formed some years ago to carry on this work. The association now controls a number of tenement houses, which it manages and which it improves under these methods. In most of the large cities the field for work of this kind is practically unlimited. Great good could be accomplished if public-spirited citizens would buy old houses, make those structural changes in them that are necessary, letting light into the dark places, doing away with privy sinks and unsanitary plumbing, and making the houses fit for habitation; then selling them and repeating the experiment with other houses. A company which devoted itself solely to the management of tenement houses, if wisely directed, would be productive of excellent results.

There is a very strong feeling on the part of many persons in the community that the municipal ownership and operation of tenement houses would in some mysterious way solve the housing problem. In just what way has never been stated. The reason, I imagine, that the view prevails is because in certain European communities the municipality has undertaken such work and has, to some extent, succeeded. There is no more disastrous principle than this—the blind copying of what has been done in some other community under totally different conditions without regard to the forces that are at work in the individual community in question. It is, of course, conceivable why Socialists should strongly believe in the municipal ownership and operation of tenement houses, but it is hard to understand why persons not holding such views should advocate these theories. I must confess that I cannot see why the municipality should go into the business of providing housing accommodations any more than it should go into the business of providing food for the poorer members of the community, or clothes, or fuel, or in fact, not only **the necessities of life**, but even the conveniences. If municipal tenement houses are desirable and are a proper function of government, why not municipal butcher shops, municipal grocery stores, municipal clothing establishments, municipal barber shops? The list might be added to indefinitely. If the municipality is to engage

in such operations, which in the past have been limited to private enterprise, it must frankly recognize at the outset that it must occupy the entire field. Private enterprise will not compete with municipal undertaking, for it cannot; and when once the city undertakes the construction of tenement houses, the private builder will abandon the field and the city will be called upon to build all of such houses that are to be constructed. So tremendous an undertaking would this be that no government, as governments are constituted subject to the changes which invariably take place, would be able to carry on such a scheme.

Moreover, what is to be gained by having the government thus extend its functions? Do the advocates of such a scheme expect to demonstrate that tenement houses which are sanitary can be built and pay a fair rate on the money invested? This has been demonstrated over and over again in New York City in the past forty years. Do they expect that by this method they will be sure that all tenement houses that are erected in the future will be sanitary and provide proper accommodations for the persons that are to live in them? This result has already been attained in New York State by the present tenement house law, under which no house can be constructed which does not provide sufficient light and ventilation, proper sanitary conveniences and privacy. If the laws did not accomplish this result, the remedy would be to amend these laws. What other possible result could be achieved by the municipal ownership of tenement houses? It is often urged by the advocates of this plan that municipal tenement houses have been constructed and operated with great success in many English and Scotch cities and that, therefore, it should be done here. Municipal government in Great Britain is totally different from municipal government in America, and the peculiar political conditions which exist in New York and other American cities would be fatal to the success of municipal model tenements. We certainly can postpone so important an experiment until we have achieved perfect municipal government in regard to those functions of government which now engage the attention of our authorities; we can very wisely wait until the administration of the Charities Department has been made perfect, until the poor and sick and dependent are treated in the wisest way; we can wait until our street-cleaning system is made adequate; we can wait until our dealing with the liquor problem is



satisfactory; we can wait until the administration of the health of the city is far more advanced than it is.

It is a rather strange thing that wherever an attempt is made in a new community to start a movement for housing reform, that it seems to be the first impulse of the public-spirited and charitable persons, active in such a movement, to build a so-called "model" tenement. I suppose it is due to the desire to see quickly definite and concrete results of their efforts. It is so much more satisfactory to most people to see a definite product crystallized quickly into brick and mortar than to wait perhaps for a period of four or five years to see larger results accomplished, only the tendencies of which could be seen at first. No one thing has probably done more to hinder the progress of housing reform in this country than this unfortunate impulse of well-disposed persons. I do not wish to be misunderstood as under-rating the value of improved tenements, nor to deter persons from devoting their time and energy to such work. It is only when made an alternative for other methods of housing reform that it is seriously objectionable. When it takes the place of these it is strongly to be condemned.

Various efforts to solve the housing problem by building so-called "model" tenements have manifested themselves in this country in two forms—one by the building of such houses with the expressed intention of furnishing comfortable and pleasant living accommodations to the poorer members of the community, at rents lower than the rents that prevail in that part of the city for similar accommodations. Efforts of this kind must be regarded solely as charity and nothing else. Such efforts have in every case failed, and in every case deserve to fail. They are extremely undesirable, and exert as great a pauperizing influence upon the community as any of the other forms of out-door relief. They also invariably injure the cause of housing reform. The other form of effort to improve housing conditions by building "model" tenements is found in the work of those companies which, recognizing the unfortunate effect of charity, build "model" tenements with the determination that their work shall be conducted as a business enterprise, and that unless they can get a fair return upon the money invested, it shall not be carried on, and that the accommodations furnished shall never be at rates lower than the prevailing rents in the neighborhoods in which their buildings are located. The objections which

apply to "model" tenements are materially minimized in quasi-philanthropic movements such as this. The great objection, however, to persons who desire to improve housing conditions, devoting their energies and means to the construction and maintenance of so-called "model" tenements, is that the same amount of energy and money directed in different channels would produce a hundred-fold greater results.

This has been strikingly illustrated in the history of housing reform in New York. In the period of sixty-three years, from 1842 to 1905, there have been in the various parts of Greater New York about ten different groups of so-called "model" dwellings erected, equivalent, approximately, to about two hundred separate smaller tenement houses. That is, in sixty-three years, as a result of the effort of persons engaged in building so-called "model" tenements (many of which were by no means "model"), the net result has been the providing of about two hundred tenement houses of the ordinary size in which living accommodations are satisfactory. During the same period of time the speculative builders of the city, unrestricted by proper legislation, have erected approximately over fifty thousand indescribably bad types of tenement houses. Had the same effort which was expended in the erection and management of these ten groups of buildings, or two hundred houses, been expended in securing proper restrictive legislation and in watching its enforcement, there would have been to-day fifty thousand tenement houses equal in all respects to the two hundred so-called "model" tenements.

That this is not a theoretical view is fully sustained by the results accomplished by the New York State tenement house law, passed in 1901. In a period of eighteen months in New York City, there were erected under the provisions of this law 1,360 new tenement houses, all of which, from the point of view of adequate light and ventilation, proper sanitary conveniences, privacy and protection against fire, are fully equal to any of the "model" tenements erected in that city, and in many instances superior to them. This has been the result of the operation of wise legislation in the very limited period of a year and a half. What the results would have been if such a law had been operating for the past sixty years it is not difficult to imagine. Most of the housing problems that now exist in New York City would never have existed. It is for this reason,

therefore, that so long as builders are allowed unrestricted to build improper types of tenement houses, that so long as existing buildings are not maintained in a sanitary condition, it is unwise for persons desiring to improve the living environment of the masses of the people to put forth intelligence, energy and force in the building of a single tenement house when the same energy and force expended more wisely will bring forth results a thousandfold more effective.

There are other reasons why the building of "model" tenements is not the most desirable form of effort in improving housing conditions in a community. Good intentions will not make a "model" tenement. The persons who are interested in such enterprises, as a rule, are totally unfamiliar with the actual conditions under which the poorer people live. They are also totally unfamiliar with the management of such property, and are, therefore, apt either to be extravagant in the construction of the building, to go to unnecessary expense, to waste space in unwise planning, or to so manage the house after it is erected that it becomes a failure both socially and financially.

The history of the first "model" tenement house in New York is singularly illuminating. It was built in 1855 by a company formed by a number of philanthropic persons who desired to improve housing conditions. The building was known as the "Workman's Home," and was situated on six lots on Mott and Elizabeth streets. The building contained thirty-seven different suites of rooms and provided accommodations for three hundred and forty-eight persons. In the description of the building it was stated that "every room is well ventilated, having air flues from each to the roof." When one considers that there were on each floor twenty-eight entirely dark and unventilated bedrooms, except such ventilation as might be obtained from the hallways or from a flue about the thickness of one brick in one of the walls, this statement seems rather astonishing. A few years after the building was erected it degenerated into one of the worst houses in the city, and was known as the "big flat," and became the resort of thieves, prostitutes and disorderly persons. In a similar way I might indicate the failure of many other movements for the erection of "model" tenements. In one case the building was so unwisely planned by the architect, so much space was left vacant and unnecessarily so, that it has been



impossible, ever since the building has been constructed, for it to pay more than 3 per cent. upon the money invested. Another enterprise, which lasted about twelve years, has recently come to a close with a considerable financial loss to the investors. It is interesting to know that this property built as a "model" tenement within the last seventeen years has recently been sold and purchased by some real estate speculators, who have filed plans for materially altering the building so as to make it a paying proposition and up to the standard demanded by the tenants.

One of the earliest "model" tenement enterprises in this country has been extremely successful from the start. I refer to the model tenements of Mr. Alfred T. White, in Brooklyn; and the latest and most effectively organized movement of this kind, the work of the City and Suburban Homes Company, has been very successful. Wherever "model" tenements are built, however, it must be remembered that they are to a certain extent an institution. There is always the necessity of showing the buildings to persons who are interested from a charitable point of view, and self-respecting tenants naturally are bound to resent this intrusion upon the privacy of their home. The result is that in many cases the class of tenants gradually changes, the more self-respecting tenants seeking other quarters where they will not be intruded upon. The only justification for the erection of "model" tenements as a means of solving the house problem is to demonstrate in any community that the poor want good living accommodations, and that well-managed and well-constructed houses pay as a business proposition. I hesitate to comment upon the condition of the charitable education of a community where it is necessary to demonstrate that the poor want proper housing accommodations. Even in such cases the erection of a so-called "model" tenement house is a dangerous and expensive method of demonstrating this principle. Errors crystallized in brick and mortar are very difficult to **remedy**.

In order to understand the housing problem in all its phases, it is necessary to consider it from the point of view of both landlord and tenant, of owner and builder. In most considerations of this subject the financial side of the problem is too often omitted and yet no side is more important. Any movement for housing reform which leaves out of consideration the rights of property owners is necessarily bound to fail, and it unfortunately is too often the ten-

dency of persons anxious to improve housing conditions to pay no attention whatsoever to this phase of the subject. They are so impressed with the great sanitary and social evils which exist, and their sympathy is so keenly aroused on behalf of the sufferings of the poor, that they are apt in their zeal to lose sight of these important considerations.

Much has been written in a popular way about the enormous profits accruing to the landlord in tenement house property and much abuse has been heaped upon his shoulders. On the other hand, the tenement house landlord has protested that his profits are small and that tenement house property as a rule does not pay. Both of these statements, strange as it may seem, are correct. In some cases large profits are reaped by tenement house owners, while in other cases investment in tenement house property is a losing venture. The reasons for this state of affairs are various. Unfortunately, accurate statistics as to the profits of owners of tenement houses have never been available, as few landlords have been willing to make public just what their income from such property is. If the system of building tenement houses on speculation could be done away with, it would result in a great deal of benefit to the tenants and would be a most important factor in lowering excessive rents and removing many of the inconveniences and discomforts from which tenants suffer. The fact that the tenement houses are built by persons whose sole desire is to sell them as soon as they are built, and who, therefore, have no interest in building well, so that the house will last and require few repairs, is responsible for the flimsy manner in which such houses are generally constructed. The sole purpose of the ordinary speculative builder is to make the house appear to be substantial when, as a matter of fact, as many purchasers can testify to their sorrow, the bills for repairs in a new house are extremely heavy during the first years of its occupation and increase in geometrical ratio during succeeding years. The result is that the tenants have to suffer because, of course, the landlord is bound to get back all of his expenditures in the form of rents.

Another tendency which has its unfortunate effect upon rents is the constant speculation which goes on in some cities in tenement house property, such houses changing hands frequently—as many as ten times in one year—and each time the new landlord seeks to raise the rents. The question of profits is one concerning which it is almost

impossible to get accurate information. Few landlords are willing to divulge the details of the management of their property. The profits on a house depend also on the wisdom of the purchase; in many cases large profits are made, in some cases as high as from 15 to 20 per cent. These, however, are the exceptions. The average net return on tenement property in New York, so far as can be ascertained, is between 5 and 6 per cent., which is indeed a very fair return on the money. In many other cases, however, tenement house property pays no more than 2 or 3 per cent., and in some cases is a losing venture. It is easy to understand why this should be so, when one considers that the original purchase may have been unwise and the investor may have paid a price for his property far in advance of its real value and that, therefore, it is impossible for him ever to secure an adequate return upon his investment. Tenement owner's profits would be very largely increased if the class of persons who own tenement houses were more intelligent and gave greater consideration to the convenience and comfort of their tenants. In the ordinary tenement there is a very large loss each year from bad debts of tenants who are unscrupulous or dishonest and who do not hesitate to let their rent run for two or three months and then suddenly leave the house with the landlord unpaid. This evil is a very great one, so great indeed that it is a common saying among the tenement-house population that "it is cheaper to move than to pay rent." The unfortunate part of this condition of affairs is that the self-respecting tenants who do pay their rent promptly, are made to suffer for the failure of the dishonest tenants to pay their just obligations, as in every case the landlord recoups himself for these losses by assessing the loss upon the other tenants in the house in the form of an increased rental. If more landlords would adopt the practice of thoroughly investigating the character of their tenants before accepting them as tenants, there would be fewer losses of this kind and rents generally would be lower, and both landlord and tenant would benefit thereby. The only persons who would suffer would be the rent dodgers.

Effort toward housing reform must seek, so far as it is possible, to offset the present tendency to concentrate in large cities, and there must be, if democratic institutions are to prevail, an organized effort to distribute the population and set the tendency back to rural or semi-rural communities. There is not the slightest reason why the



greater part of our tremendous foreign population, which has come from rural peasant life in Europe, should not continue in similar rural peasant life in this country—in fact, there is every reason why it should. Thus far, there has been hardly any effort made to direct the careers of these foreigners along these lines. Such effort as has been made has been successful on the whole, but it has been done on so small a scale that, of course, its effect has only been slightly felt.

There is much misconception on this subject, and we ought to at once free our minds of the popular belief so often expressed by many of the well-to-do persons of the community that “the poor ought to live in the country.” The reasons why the poor live in the city are undoubtedly the same reasons that account for the presence of the rich in the city—they like city life; and were indeed the great majority of the working people to remove from the city, the more prosperous members of the community would find themselves seriously embarrassed. No effort to stem the tide toward the cities or to turn it back to the country can succeed, which does not clearly recognize the fact that people are social in their nature and that they reside in cities because of the social opportunities which are to be found there. It is important, therefore, in such work to make rural communities, so far as possible, social centres. The Italian peasant has no special desire to live in a crowded tenement house, provided he is given an equivalent for the social atmosphere that he finds in the tenement districts. He had such equivalent in his native village; there the public square was the social centre. This principle has been very clearly recognized by a number of employers of industry who, in order to improve the quality of the workmanship in their factories and to secure continuity of service among their employees, and primarily because of their recognition of the fact that their workers are human beings, and not merely machines, and have an intellectual and spiritual side to their natures, have gone out of their way to provide for their employees, not only improved housing conditions, but social and educational opportunities of a high order.

Many people who are conscious of housing evils and who are desirous of improving the conditions under which the poor live are often handicapped by a lack of knowledge of how to proceed in attempting to remedy them. The best intentions in the world with-

out proper knowledge and judgment, not only will not accomplish reforms, but may indeed do positive harm. It is important, therefore, to know how to start a movement for housing reform in any community. The essential thing first, is to know exactly and in detail just what the conditions are that it is sought to remedy. It would seem that this is elementary and that few persons would attempt to remedy conditions without this knowledge, but there is probably nothing more difficult to accomplish than to impress upon persons who desire housing reform, the necessity of knowing the facts before they seek to prescribe the remedies. Of course, in every community the facts are known in a general way, but this is not what is meant. The facts must be known in a strictly accurate and scientific way; there must be no guesswork.

The first step in such movements is, in every case, the formation of a citizens' committee to carry on the work of investigation and agitation for reform. Great care should be taken in selecting the members of such a committee. The committee's function is a two-fold one: First, to act as an intelligent jury in passing upon the reports and recommendations of its trained investigators; second, as a body to influence public opinion. The committee should be selected, therefore, from persons who are prominent in the community and whose names will inspire confidence. Such a committee should always be composed of the leading and representative citizens of the community. A committee of this kind should also include persons familiar, to a greater or less degree, with the various sides of the housing problem; there should always be on the committee a capable architect, a practical builder, a prominent real-estate man, a physician, a lawyer, a representative of the leading charitable society of the city, a settlement worker where settlements exist, and where it is feasible, a representative of the local health department and the local building department. Such persons will bring to the service of the committee expert knowledge and advice along the lines of the special experience of each. Moreover, a committee thus constituted will have peculiar weight with the public. The public will naturally feel that recommendations made by a body of this kind will be eminently practicable and can be relied upon. By thus wisely choosing the committee, a large part of the battle is won at the start, because public sentiment is all-essential to every social reform. After such a committee has been organized, its next step

is to employ a trained and expert investigator who can not only carry out such plans as may be made by the committee, but who can also originate plans and suggest to the committee methods of investigation. A committee had far better postpone its work for a year or even two years in order to obtain the services of such persons, than to undertake an investigation without a proper executive. When such executive has been secured, the first step is to become familiar with the experience of other communities in attempting to cope with housing problems. There is an unfortunate tendency in many smaller cities, perhaps a form of false civic pride, which leads them to disregard the experience of other communities, feeling that they are entirely able to handle the problems involved in their particular cities and that they do not need the advice of other and larger cities. This is a fatal error and is bound to have its effect. There is, however, danger of running to the other extreme and of slavishly copying the forms of effort which have been successfully carried on in other communities. The most striking illustration of this kind and a delightfully ludicrous one, was in a small seaport town not far from Boston, where some ladies who were anxious to do effective work with the poorer children of the place (having learned of the very successful work done in New York and Boston with sand gardens for the younger children), prepared elaborate plans for the construction of similar sand gardens in their own town, until one of the wiser members suddenly called attention to the fact that it would perhaps be easier for the children to go down to the beach, which was but a short distance, and play in the sand there. Exactly similar forms of foolish adherence, in every detail, to the experience of other communities is found in almost every instance in which housing investigations have been made in this country.

It is a very serious mistake to imagine that the exact methods and remedies which have been framed to meet the peculiar conditions in a city like New York, for instance, are desirable or applicable to conditions in a city like Boston or Philadelphia. A forcible illustration of this tendency was had shortly after the creation of the new Tenement House Department in New York. As soon as its success seemed to be established, persons in Boston at once desired to establish a similar department in Boston, without considering whatever whether such department was necessary, but apparently



actuated solely by the view, "as long as this was a good thing for New York, it should be a good thing for Boston."

The directions that a housing investigation should take are three in number: Sanitary, structural and social. Such investigation should also look in three directions: To the future, to the present to the past. The sanitary investigation must concern itself necessarily with questions of plumbing, drainage, the adequacy of closet accommodations, sewage disposal and similar questions. It must also consider questions of light and ventilation, the health of the community, prevention of disease and overcrowding. The structural investigation should consider the materials out of which houses are built, the methods of building, their safety, protection in case of fire, conditions of repair and similar conditions, while the social effects of existing conditions should be studied from almost every point of view. Such an inquiry should involve the question of rents, occupations, the lodger evil, congestion of population, foreign colonies, opportunities for recreation and play, bathing facilities, school facilities, and many other educational questions.

An investigation into housing conditions should also look toward the future development of the community and should frame remedies by which, in future, no bad types of houses can be erected; should carefully study existing tendencies, and where it finds those tendencies working in unfortunate directions, should recommend methods to curb them or divert them into other channels; it should also consider the past, and where necessary, frame methods by which the errors of former years can be remedied.

No piece of work in connection with housing investigation is of more importance than the making of the investigation schedules and no portion of the work more difficult. Upon the skill and care with which such schedules are made, will depend to a large extent the efficiency of the investigation to be carried on, and there is unfortunately an extremely limited number of persons who have any particular knowledge upon this subject. I should advise every group of people who are contemplating starting a movement for housing reform, to devote several months to this one piece of work alone before starting their actual investigations. It is not possible within the limits of this paper to describe the main points to be considered in making such schedules. I shall, however, call attention to one or two salient points: First, that such schedules must always be a

card system; second, that the size and shape of the card is extremely important and that a card of about 5 x 8 inches in size will be found to be the most satisfactory; third, that the method of arrangement of the various inquiries upon the card is of the greatest importance—there should be a logical arrangement by which the investigator may go from one part of the building systematically to the other, checking up the various points in his natural progress through the building; that is, proceeding either from the cellar to the roof, or from the roof to the cellar, but not in any event having to jump around and consider at one time matters that relate to the roof or upper stories and then consider matters relating to the cellar, and then to have to return to the upper stories for some particular point. Another point which should be carefully considered is that the amount of writing to be done on a schedule by the investigator should be minimized, and that the various answers to each question should, as a rule, be anticipated in the schedule, and the appropriate answer checked by the investigator. This is of great importance and is not usually considered in such investigations, the more popular method being to allow each investigator to write his own answers to every specific question. The result is, in such cases, that it is almost impossible to get any uniformity of results, owing to the variation of judgment among the different investigators. In answering inquiries as to cleanliness, a numerical percentage scale, indicating various degrees of cleanliness, should be adopted; thus, for example, very clean conditions might be represented by 100; clean, by 80; somewhat dirty, by 60; dirty, by 40; very dirty, 20, and filthy, 0. In regard to the presence or absence of rubbish, to use another illustration, the answer of the investigator should be limited to one of three conditions, and such answer may be very wisely confined to the terms, "free," "some," "much." Similarly, in regard to repairs—the investigator's answer should be limited to the terms, "good," "fair" and "bad." In general, wherever it is possible to describe conditions on a percentage basis, it is desirable. The great failing with most persons who are making up investigation schedules is that they leave entirely out of consideration the work that is to be done in the office in tabulating the results of such investigations. This is almost as important as the work which is to be done in the field and, as a rule, in any important investigation, takes almost as much time.

A word in regard to the considerations to be borne in mind in such investigations in formulating a report. The tendency generally in writing reports of this nature is to make them too technical or academic, and while presenting unquestionably the results of the investigation, they are, in many cases, so unfortunately presented as to be uninteresting to the general public. Social workers should never lose sight of the fact that the purpose of an investigation of housing conditions in any community, is primarily to frame remedies for their reform, and that, as a rule, such remedies will in the main be found in legislative action. It is essential, therefore, that in preparing a report of the work done and of the conditions found, such report should be popular in form and should hold the interest of the general public. It should, however, at the same time, be scientific in spirit; it should not attempt to prove preconceived ideas, but should simply set forth the facts as found and should never be willing to misrepresent them or to color them. There is often danger on the part of the persons writing such reports, because of their familiarity with the subject, of taking for granted that the public is also familiar with the conditions. This is a very serious danger and one to be carefully guarded against. The public as a rule possesses no knowledge of these conditions, and therefore it is essential to tell many things which seem elementary. It is also wise, wherever it is possible, to use photographs, illustrating the particular evils which need to be remedied, and the human element should not be omitted. The general public is, as a rule, far more interested in the people than in the physical conditions, and the successful report must carefully harmonize these elements. It also must consider not only the immediate purpose of the report in making plain the existing evils and creating a sentiment which will demand their remedy, but that it must of necessity have an important historical value and play an important part in the future education of the community.

Although the agitation for housing reform has been carried on in New York City for over sixty years, there has been little real progress made until recently. As a matter of fact, the conditions to-day in New York are far worse than they were in 1842, when the first important movement for housing reform was started. The failure to accomplish more has been due chiefly to the lack of continuous effort. The efforts have been spasmodic, and in nearly every case at intervals of ten or five years. It is one of the



most difficult and complicated social problems in existence and requires constant and continuous attention. The mere passage of some piece of remedial legislation will be of little value, unless such legislation is properly enforced. Let no one who is anxious to improve housing conditions, enter upon a movement for housing reform carelessly, thinking that it is a light task which he has undertaken. If the conditions are such that it is necessary to act at all, it will be found that there is plenty of work to be done for many years to come—in fact, the very greatest service that citizens can often contribute to the cause of housing reform, is after the particular legislative reform has been accomplished. Questions of interpreting the new law frequently arise, and the knowledge and experience of the persons who have framed the law will be found of the greatest moment in such emergencies. It is also extremely important to be sure that the laws are properly enforced, and unfortunately, one cannot be sure that any law is enforced in most of our American cities, unless citizens are willing to devote their attention to this subject. Any piece of tenement-house legislation in any community is necessarily experimental, and the framers of such reforms should, with an open mind, hold themselves ready to watch the effect of their recommendations and be prepared to recommend such changes as experience shows to be necessary. The law may easily in some respects be too drastic; in other respects it may not be sufficiently severe. In either event its effect should be studied by its friends and changes in it should be made by them, and not by the enemies of reform. If the friends of the reform have not sufficient interest in it to watch its enforcement and to study its defects and remedies, they can be quite sure that the enemies of reform will control its amendment and ultimately nullify its provisions.

## THE PROGRESS OF SANITATION IN GREAT BRITAIN

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To the hopeful worker in hygiene, it may be said that the beginning of the new century has brought with it some suggestion of an ever-widening domain within which his energies may find new scope for their exercise. The historian of nineteenth century sanitation in Great Britain might with reason date its origin (albeit it was an unconscious one) in the system of factory legislation which began with the "Health and Morals of Apprentices Act 1802"; but to appreciate the mental atmosphere out of which this legislation emerged, he must have recourse to the growth of the "New Humanity" in British politics (as Sir John Simon has so happily phrased it), and that "larger sympathy of man with man" which John Richard Green found so characteristic of the eighteenth century.

And so it is an easy step from the first effort to reclaim the children from the uncontrolled evils of a recently introduced factory system to the complementary movement which the Poor Law Commission of 1834 inaugurated in their report of that year, and which, together with the growth of a spirit of co-operation among the adult workers, did so much to reclaim industrial England from the poverty into which it had sunk in the first part of last century.

It is true that sanitary endeavor, in the form at least of an organized administration, as yet scarcely existed, but its foundations were being securely laid in the accumulating knowledge of the Poor Law Commissioners regarding the home conditions of the industrial poor, and the part which these played in disposing to the disease which lay behind so much of their poverty. Although it was thus early recognized that the problems of poverty and sanitation had much in common, the time had scarcely come when their unity could be clearly recognized. For to the hygienist of the middle of the nineteenth century, the widespread incidence of the major infectious diseases, and their tendency every now and again to

leap into epidemics of considerable magnitude, made their control a question of imperious necessity. He saw the industrial centres of Britain scourged with ever recurring epidemics of typhus fever; cholera, even so recently as the 60's decade, spreading westward across Europe, and apparently presaging a renewal of the outbreaks in Britain which the second quarter of the century had witnessed, pulmonary phthisis moving apparently uncontrolled among the very flower of the industrial community, and, like a good workman, he devoted his energies to the work which lay nearest to hand, and most urgently demanded should be done. But while he accomplished much for the well-being of his own generation, he did more for the generation which was to follow and for humanity in general by laying the basis for the conception that these diseases and others of like character were Nature's method of teaching mankind that the massing of populations in large centres was more than the mere aggregation of human beings, with the wants of the individual simply multiplied by this number, but the creation as it were of an organic communal life which had new aspirations and new needs of its own. And because of this, we of a later generation, with the altered perspective which time admits of, can see the sanitary problems of to-day in probably a truer relationship to the economic basis of the life of the individual, and can recognise, as frankly contributing the results after which sanitation strives, the operation of every agency which has the promotion of individual well-being as its object. Factory legislation in Britain made provision for the education of children almost as a side issue. Now an educational code has arisen which contemplates the well-being or health conditions of the children as well as their education. Poor law legislation, rightly interpreted, aims at the repression of pauperism and the encouragement of thrift. Sanitation proposes for the individual, conditions of life and work which will satisfy the physiological demands of his system. All alike proclaim that individual efficiency is the right of manhood, and that conditions which impair it should cease.

Writing so long ago as 1883, Sir Robert Giffen<sup>1</sup> in dealing with

<sup>1</sup> "The Progress of the Working Classes in the Last Half Century." Inaugural address as president of the Statistical Society. Delivered November 20, 1883, and now reproduced in a volume on "Economic Enquiries and Studies." Vol. I. London. George Bell & Sons, 1904.



Mr. Noel Humphreys' paper on "The Recent Decline in the English Death-rate" (which was based on a comparison of the death-rates 1838-54 and 1876-80 and the increased expectation of life in the latter period) observes with regard to Mr. Humphreys' conclusion that "the larger proportion" of this "is lived at useful ages and not at the dependent ages of either childhood or old age" that "the figures to be affected relate to such large masses of population that so great a change could not have occurred if only a small percentage of the population had been improved in health."

In the periods thus compared, the average duration (or expectation) of life among males arose from 39.9 to 41.9 years, and among females from 41.9 to 45.3 years, while Dr. Tatham has shown that in the decade, 1881-90, it further increased to 43.7 for males and 47.2 for females.

It was natural to regard these results as in some measure reflecting the work of local sanitary and other authorities during a whole generation of fairly continuous effort. Factory legislation had improved the conditions, and in many instances shortened the hours of labor. Local authorities had introduced water supplies and improved systems of drainage. Much attention had been given throughout the country to the conditions of housing, large areas of badly constructed tenements and badly arranged streets had been cleared in the large towns, and building regulations had been devised to control the erection of houses, so that the primary requirements of light and ventilation should be met, and the evils arising from unsuitability and impurity of site prevented. Continuous effort was being made to prevent the overbuilding of sites and the overcrowding of rooms; greater purity of soil water and air was constantly aimed at, and above and beyond all this, the economic condition of the worker had been improved, the purchasing power of money had increased, and the cost of food stuffs been reduced.

It was, as we have said, difficult to dissociate all these from the continued reduction in the death-rate and consequent increase in the expectation of life, so that it is not a little striking that the first call of the new century to the public health administrations to arm themselves for further effort should have been sounded on the note of physical deterioration. Some facts were adduced on which the suggestion was based, and the questions which had to be answered were—whether our material progress during the nineteenth

century had been purchased at the cost of racial degeneration, and the whole policy of sanitary administration needed revisal.

Some earlier writers (Mr. Herbert Spencer and Mr. Lecky among others) had suggested that declining death-rates did not necessarily imply improved vitality in the survivors, but these had created no misgivings in the public conscience until the statement took the definite form just alluded to. Resulting from this, however, a committee, consisting of representatives from several departments of the government, was appointed, and the questions referred to it were as follows:

"To make a preliminary inquiry into the allegations concerning the deterioration of certain classes of the population as shown by the large percentage of rejections for physical causes of recruits for the army and by other evidence, especially the report of the Royal Commission on Physical Training (Scotland), and to consider in what manner the medical profession can best be consulted on the subject with a view to the appointment of a Royal Commission, and the terms of reference to such a commission if appointed.

"These terms of reference were subsequently explained and enlarged, as follows:

"(1) To determine, with the aid of such counsel as the medical profession are able to give, the steps that should be taken to furnish the government and the nation at large with periodical data for an accurate comparative estimate of the health and physique of the people; (2) to indicate generally the causes of such physical deterioration as does exist in certain classes, and (3) to point out the means by which it can be most effectually diminished."

It must be admitted that the advocates of the physical deterioration theory found much material ready to hand wherewith to illustrate their argument, if not to render it convincing. Happily it was also possible to show that their error lay not in the facts which they adduced, but in the generalisations which had been based on them. And here we return to a consideration of circumstances within the knowledge of every active worker in the field of sanitary administration. The statistical data on which hygiene progresses are not misleading when used with such knowledge. Our general death-rates have become reduced, our expectation of life has increased, but these facts are true only when applied to the whole population of a country or to communities thereof. The

error lies in assuming that they are equally true of all sections of a community. When the Departmental Committee, to which I have referred, proceeded to consider the conditions from which physical inefficiency springs, they cited Sir Shirley Murphy's comparison of the expectation of life in the districts of Hampstead and Southwark in London, which afford social contrasts. The expectation of life at birth in Hampstead was 50.8 years, in Southwark it was only 36.5. Again, they quoted the figures from Finsbury, London, where in a population of 14,516 persons occupying one-roomed tenements, the death-rate in 1903 was 38.9, although the rate among occupants of four or more rooms was only 5.6, and for the whole burgh 19.6. And turning to similar evidence regarding the population of Glasgow, they quote the medical officer's figures for 1901, which show that the general death-rate in one-roomed houses there was nearly twice that of the whole city; and the death-rate from pulmonary tuberculosis was 2.4 per thousand in one-roomed houses, 1.8 in houses of two rooms and .7 only in all the others.

Here then we have focussed for us, as it were, sections of the field within which the work of social and sanitary reform of the future lies. They form illustrations, which might be multiplied from the experience of every modern city, of a not inconsiderable multitude to whom the gospel of hygiene has hitherto failed to carry any message of healing, because the ever-present problem with them is not how to reach a higher level of living, but how to maintain life at all. It were easy to find terms of social obloquy wherewith to describe the indifference which the least fortunate among them display to any call save that of the elemental requirements of life; it is less easy to adjust the balance, when it comes to weighing their indifference against the injury which they inflict on those who equally with themselves are ill-provided with material comforts, yet, nevertheless, are possessed of a morale which only awaits opportunity to develop. For while the inefficient and indifferent, the drinker and the criminal abound among them, there is also the unskilled worker, the widow, the seamstress, the whole mass indeed of low paid and unorganized labor which is ever engaged in a merciless competition with the casual worker for employment and food and housing.

But while fully recognising this and making due allowance for the existence of a parasitic class, it were the very essence of fatalism to regard the present condition as irremediable. The danger indeed



at the present moment is not that effort will not be made, but that it should take a wrong direction. The problem which the late Sir John Simon expressed in a phrase which his writings have made classic, "How the poor are to be made less poor," seems to assume a more hopeful form when rendered, "How is the inefficient worker to be made efficient." The social evils which result from individual ill-doing is only one phase of the problem and is not here in question. Let us frankly admit that past effort to deal with the class whom for convenience we designate the slum-dweller, has hitherto failed to make any considerable impression on him. We have displaced him from his slum; have we replaced him in active citizenship? If disappointment and a recognition of the results should tempt us hurriedly to answer that we have not,—often, at least,—there is the more reason further to enquire whether it is not because we had been anticipating that a moral revival would follow physical displacement alone. In short, is it not the case that there are social evils which, like some bodily diseases, are irremediable, save only by preventing their advent. It is easy to demolish the slum; how shall we approach the question how to prevent the formation of the class from which the slum-dweller is recruited. Let us leave aside for the moment all that can be said for the undoubted aid which the experience of the past has taught us may be obtained by regulating the site and construction of buildings, the size and overcrowding of rooms, the width of streets, the provision of open spaces and sanitary appliances, the purer air, water and soil, to which we have already alluded, and concentrate our attention for a little on the human element in it all, which is, and ever must be, the objective of our efforts.

We have seen that the evil effects of "urbanization" can to a large extent be controlled, and the most obvious proof of this lies in the fact that while the urban population of this country has increased in the last half century from about 50 to 77 per cent. of the whole, the death-rate of towns generally is as low—in some instances lower—than was the rate for the whole country at the beginning of that period. We have also seen that judged by every material and hygienic standard, the greater part of communities present no administrative problem, hygienic or otherwise, which by concerted effort they are unable to solve. And it is precisely at this point that the problem of the unreclaimed portions of our communi-

ties emerges. These have not benefited because there has not been developed in them a desire for improvement. Let us recognize the fact that they are remnants as it were of an earlier period of civic life. "The poor perish for lack of knowledge"—they lack initiative—they are but "as children crying in the night, with no language but a cry." And so one turns to the children among them as the most hopeful point at which to commence the work of regeneration. We welcome the re-awakening interest in the hygiene of school life, because it carries with it the germ of new effort to accomplish on a broader basis the education of the children of the poor. The present writer has had an opportunity recently of conducting an enquiry into the physical condition of the children in certain schools in poorer class districts, and the following tables which were submitted to the school hygiene conference of the Royal Sanitary Institute of Britain, held in London in February, 1905, may here be reproduced.

These tables are almost self-explanatory, but the following extracts from the paper in which they were presented may assist in reading them:

"1. The children are grouped according to the size of house occupied by their parents. In this way the economic position of the family is indicated.

"2. The height, weight, state of nutrition and mental capacity (teacher's opinion) of the children follow closely this "economic" grading.

"3. The lowest economic grade is separated from the others by a wide interval, both with regard to nutrition and mental capacity.

"4. The constituents of certain diets are stated, from information supplied by the children, and grouped as good, medium and bad, according to the proteids and fats they contain.

"5. The weight at given ages of children living under similar conditions otherwise show an almost constant gradation, which corresponds to the quality of the diets thus grouped.

"6. With regard to the lowest grading, it is asked whether there is in the tables a suggestion of economic waste in applying, under present conditions, the energies of a highly trained teaching staff to the training of children who are obviously underfed.

"Bearing in mind what I have said as to the danger of generalizing from insufficient data, there is notwithstanding, I think,

WEIGHT OF CHILDREN IN RELATION TO DIET (FAMILIES IN TWO-ROOM APARTMENTS). (DR. KAY.)

	GOOD.	MEDIUM.	BAD.
Breakfast . . . . .	Porridge and Milk and 1 "Kitchen."	Bread and Butter.	Bread and Tea.
Dinner . . . . .	Potatoes and Meat.	Potatoes and Soup.	Bread, Butter and Tea.
Tea . . . . .	Tea and Bread (occasionally "Kitchen").	Bread, Butter and "Kitchen."	Bread, Butter, and "Kitchen" thrice weekly.
GIRLS—	lbs.	lbs.	lbs.
Age, 6 . . . . .	42	..	32
7 . . . . .	44	..	33
8 . . . . .	49	44	..
9 . . . . .	54	50	..
10 . . . . .	54	..	47
11 . . . . .	60	52	..
12 . . . . .	72	65	..
14 . . . . .	83	66	..
Boys—			
Age, 6 . . . . .	43	34	28
7 . . . . .	46	46	..
9 . . . . .	55	52	43
12 . . . . .	66	..	61
13 . . . . .	74	74	..
14 . . . . .	80	71	67

COMPARISON OF CHILDREN ACCORDING TO SIZE OF HOUSE (BOYS).

Death Rate per 1000	Size of House in Rooms	Mean Height (in) Inches.	Mean Weight in Pounds.	STATED AS PERCENTAGE.						
				State of Nutrition.			Mental Capacity (Teacher's Estimate).			
				Stout.	Medium.	Thin.	Excel.	Good.	Medium.	Dull.
32.7	1	47.7	52.9	....	80.	20.	6.6	26.6	26.6	?
21.3	2	49.3	56.6	4.9	77.2	14.9	16.6	45.4	31.2	6.6
13.7	3	50.8	59.6	10.5	74.5	14.9	17.5	49.1	28.	5.2

<sup>1</sup> (Scot.) A supplementary dish or food used as a relish with other food, as with bread, porridge or potatoes.



a suggestion in these figures that the inspection of school children may be applied to a furtherance of our industrial and hygienic as well as our educational interests."

The suggestions which emerged from a consideration of these facts were thus formulated:

"1. That in all communities a section of the population fails to participate in the hygienic advance of recent years, and that associated therewith there is much impaired health and defective physique, which means industrial inefficiency.

"2. That the limited measurements of school children, presently available, appear to indicate:

"(a) That their physical development is related to an economic standard of the family life, which may readily be expressed.

"(b) That their nutrition is similarly graded, and

"(c) That their mental inefficiency, as estimated by the masters, falls into line with both.

"3. That this lowering of the mental and physical condition of childhood tends to the production in inefficiency in the adult, from which again the vicious cycle is begun.

"4. That much educational energy is meanwhile misspent in endeavoring to educate children who are physically unfit, as evidenced by the small proportion of underfed children who reach a reasonable standard of proficiency, according to the masters' estimate.

"5. That in order to assist in preventing the production of industrial inefficients, food, and by implication the organized feeding of school children in certain districts is essential.

"6. That the most reliable way of ascertaining the distribution of underfed children is by a systematic medical inspection of them at schools."

### *Housing.*

The literature of modern sanitation is replete with works on this subject, but three additions have recently been made to it, which are excellent for several reasons. They present the problem as existing in three important industrial municipalities—Birmingham, Manchester and Glasgow; and bring to the knowledge of the general reader much that has hitherto been known only to the sanitary officer and social worker. In this they cannot fail to have a direct educational value, and their excellence is enhanced by the

uniform recognition that behind the structural decrepitude of the uninhabitable house and the adverse economic condition of its tenant (with both of which we have for so long been almost hopelessly familiar), there lies the element of the human soul which needs awakening. It is the recognition of this fact in these reports that makes them hopeful reading. For when the public conscience realizes that the slum-landlord and slum-tenant is there only because we have tolerated him, we shall have seen the beginning of the end of both. It is true that the reports supply no specific remedy for the conditions which they describe, and this, from the nature of the case, must be so. But in recognizing that for every separate aspect of the problem a different remedy is required, they have done much to guard future workers against repeating the errors of the past. The position has seldom been better put than in the following words from the Manchester and Salford report, which was prepared for the Citizens' Association for the Improvement of the Unwholesome Dwellings and Surroundings of the People, by Mr. Marr, Secretary of the Association.

"To sum up. We see in our towns to-day many evils. Poor physique, impaired health, and premature senility; drunkenness, sexual immorality and other vice; betting and thriftlessness; decay of family life and lack of civic spirit; these are all too common. We find, too, poverty, houses unwholesome from many causes, lack of provision of open spaces and other means for healthy recreation, narrow and gloomy streets, an excessive amount of coal smoke, and a superabundance of public-houses. Endless discussion takes place among those interested in social reform as to which group of evils is cause, which effect. *The truth seems to be that we have a vicious circle and that they are all both cause and effect.* It is therefore necessary that all who are engaged in social work, all who are members of religious organisations, should join forces and at any sacrifice promote all measures for the welfare of the community."

With regard to present action, the reports may be said to be almost unanimous. "It cannot be too loudly proclaimed," wrote Sir John Simon now many years ago, "that an efficient administration of the sanitary laws is among the best helps which can be given to the poorer classes of the population; and that authorities who negligently or corruptly fail of their duties in such administration, are among the worst oppressors of the poor," and the

present reports lend what emphasis they can to this elementary principle of administrative action. It is true that the Manchester report expresses some hesitation when contemplating the possible displacement of people for whom no housing accommodation might be assumed to exist, but the Spectator in reviewing the Report commented thereon in terms so apposite that they may be introduced:

"What is wanted," says this reviewer, "is a clear and unmistakable statement of what the municipal authorities can do as the law stands. It will then be possible to tax them with neglect of duty if they leave any abuses unremedied. We do not all say that they may not have good reasons to give for their inaction, but only that the public has a right to be informed what those reasons are. The one that is most often given is the possibility that a vigorous use of their powers would only make the situation worse. 'To make,' says the report, 'large clearances in some parts of the city is desirable, but until provision has been made elsewhere for those who will be dishoused the authorities dare not take action lest matters become worse in other districts.' But why should this happen? In these other districts the laws against overcrowding only need to be enforced to prevent the dishoused population from drifting into them. We doubt whether public attention will ever be properly directed to this great problem until the results of proper action in the way of clearing hopelessly insanitary areas are visibly set forth in the shape of a number of people, without a roof over their heads and no possibility of finding one, placed in tents by the local authorities until better provision can be made for them. Oh, but look, it will be said, at the individual suffering which proceedings of this kind would inflict. But this suffering would at most be no greater than the suffering caused by living in houses in which not a single requirement of health or decency is forthcoming, with the difference, too, that the latter suffering is permanent, while the former is only temporary. Perhaps what is needed to wake the public conscience, sluggish enough at present, is some spectacle that shall impress the public imagination."

#### *Municipal Building.*

On this much discussed and very unsettled question the Birmingham Report expresses very definite and adverse views, which are shown in the following paragraphs therefrom:



"Having ascertained the causes of the present state of affairs your committee then considered the remedies that have been suggested, and in the first place examined the *pros* and *cons* of municipal house building. They are of opinion that municipal house building will hinder the solution of the housing problem, for the following reasons:

"1. It is thought that municipal house building will reduce rents, because a corporation can borrow money cheaper than a private individual. But, in spite of this advantage, experience shows that municipal house building is more expensive than any other.

"2. Municipal houses are often let at cheaper rents than the surrounding houses; but this is only done by making a loss on the transaction. If the governing body could raise sufficient money to house all its citizens, municipal house building would simply result in the population paying more in rates and less for other items that go to make up house rent; but as the city authorities can only house a very small proportion, municipal house building must always in the future, as it has done in the past, result in taxing the many for the benefit of the few.

"3. The evidence shows that rate-aided competition in house building and letting will drive everyone else out of the trade, with the result that we shall have fewer houses provided in proportion to the demand, thereby creating a house famine, which is just what everyone wishes to avoid.

"4. It is urged that the governing body ought to provide good cheap houses for those who really cannot afford to pay the ruling price for new houses. The difficulty is to find out the respectable poor. Everyone experienced in philanthropic work knows how strenuously these people maintain their independence. They would not go to the corporation, the corporation would have to try and find them, a most difficult thing to do. People who apply for corporation houses will not all be those who have the greatest need for assistance, and the enquiry necessary to get at the truth would be of such an inquisitorial nature that no governing body could undertake it. Experience has shown that municipal houses are filled up immediately by those for whom they were never intended. If, on the other hand, an inquiry were thoroughly carried out, and the limit of wages for municipal tenants fixed, then

there would be a gross injustice done to those men just above the limit, and they would have every inducement to earn lower wages, which is exactly contrary to what all reformers are working for.

"5. In connection with the foregoing it may be remarked that municipal house building is a form of rate-aided charity to the poorest class of the town. This charity comes out of the rates, which are compulsorily collected from all classes of the Community, either directly or indirectly, in the form of rent. The increased rates necessitated by municipal house building will press most heavily on the large class just above 'the poverty line,' and with increases for other purposes force many below it. Thus the result will be to still further increase, instead of to diminish, the proportion of the population for whom it is suggested rate-aided houses should be built.

"6. Supposing that municipal house building did result in reducing rent all over the city, this would only have the effect of subsidizing employers of labor. It is a well-known fact that wages follow rent. If rents go down, wages will also go down; and only the employers of labor will benefit. The evidence shows that there are many people who will only do just enough work to keep body and soul together; lower house rents would only encourage those to work less, and earn less money. Another effect of reducing rents in the city would be to tempt unskilled labor into the town. This would seriously injure the workers now in the city by making competition for employment in the city keener than ever. If the physique of Englishmen is to be maintained and improved, everything possible must be done to get people back to the country."

The Glasgow Report, on the other hand, makes a guarded recommendation which is limited in scope but worthy of trial if only for the reason that it gives the whilom dissolute tenant an opportunity of qualifying himself for active reputable citizenship. After recommending the municipality to undertake as an experiment the establishing of one or two lodging-houses in different districts of the city to accommodate poor couples and their children, the report proceeds:

"The commission recognize that if the foregoing recommendations, dealing with uninhabitable and overcrowded houses are carried out, there is likely to be a considerable amount of hardship

to the dispossessed. Several thousands of people, from no fault of their own, will be dishoused, and it does not seem probable that they will be able to find other houses in the same neighborhood at the same rents as they were paying. Among those there will certainly be a proportion of thriftless and dissolute persons earning good wages, and it does not seem unreasonable that such persons should be compelled, by scarcity, to occupy better houses and pay higher rents; but there will as certainly be a proportion of respectable poor whose present wages will not allow them to pay a higher rent without some sacrifice. To these must be added the large though uncertain number of persons now living in overcrowded houses, who will require to seek other accommodation. If no special provision is made, it is probable that a public measure, which will admittedly confer a great benefit on the city as a whole, will press heavily on the small class least able to bear the burden. From the evidence submitted it appears that the corporation, on ground not exceeding 15s. a yard, can build and let one and two-roomed houses at rents as low as the average of the houses which it is proposed to close or demolish, while paying all economic charges, including upkeep of property, interest and sinking fund."

In the foregoing circumstances, and without expressing any opinion upon the general policy of municipal housing, there seems to be a strong case in favor of the corporation providing a sufficient number of houses to obviate the hardship.

The commission therefor recommend (1) the erection by the corporation, up to the extent of the powers possessed by them under "The Glasgow Corporation Act, 1897," and "The Glasgow Corporation (Water and General) Order Confirmation Act, 1902," of tenements of one and two-apartment houses, to be reserved exclusively for respectable people of the "poorest class," as defined by the former act, preference being given to those dispossessed and to the most necessitous; such houses to be situated, if possible, near to the area of dispossession, and to be under carefully selected caretakers.

If the foregoing recommendation be carried out, there still remains a class who seem to have some claim on exceptional provision, viz., those low-paid wage-earners who are dispossessed, and who, by reason of dissolute, disorderly and destructive habits, will find no room in the new corporation dwellings. These per-



sons may not have any claim on the community if they will not reform; the community, however, in its own interest, should give them an opportunity to do so.

The commission therefore recommend (2) that an experiment should be made by the corporation in the erection of a building or buildings on the lines laid down by the city engineer, to be reserved for those who, while unable to show any factor's line or other certificate, are willing to submit to necessary regulations as to cleanliness, respectable living, order, and punctual payment of rent, with the view of rehabilitating their characters, and in time qualifying for a better house. The houses should be of the plainest construction, with indestructible fittings, and should be capable of being quickly and efficiently cleansed.

The commission also recommend (3) that, with the view of cheapening the construction of both classes of houses, some relaxation of the Building Regulations Act should be made.

Quite recently (November, 1904) the Edinburgh Social Union has issued its twentieth annual report, and we cannot help thinking that in it the true note of social reform has been struck. Again and always it must be that all social schemes will fail unless they reach the individual and create in hearts where hope is dead the aspirations which stimulate social activity and the ideals at which it aims.

The Union express their opinions in the following manner:

"When the Edinburgh Town Council began operations in 1895 under the Housing of the Working Classes Act, we welcomed their schemes as a solution of the housing difficulty, and gladly accepted the offer of the management of the new houses which they built. But as the result of nine years' experience, during which more than five hundred families have been under our care in municipal houses, we have come to the conclusion that the work is not such as we wish to undertake.

"We feel convinced that the action of the municipality in providing houses for certain arbitrarily selected families, is discouraging the further supply of houses by private enterprise. Private builders and private companies are finding it exceedingly difficult to compete with large corporations (municipal undertakings), and this in itself is in our view a serious objection to the municipal system. Buildings with large courts and expensive fittings in each

house cannot be provided at rents which the laboring class is able to pay, and can only be let to that class of tenants by providing a subsidy from the rates, or by an arrangement whereby a considerable proportion of the cost is written off for the public health account, as a public improvement. We do not believe that to maintain houses artificially at a cheap rent, is to help permanently to solve the housing question, and it is a serious tax upon the poorer rate payers, while if houses can be built to pay, there will immediately be plenty of people ready and anxious to build them.

"We are also of opinion that there is at present a sufficient sphere for municipal energy in the work of supervising the operations of private bodies and carrying out the by-laws regulating these in conformity with the demands of public morality and health. We acknowledge gratefully all that has been done by the sanitary department during recent years, but if the excellent by-laws of the town for landlord and tenant were universally enforced, a large part of the work which we at present undertake would no longer be necessary. In this direction we are only trying in certain selected districts to carry into effect the laws which the town has power to enforce in all.

"Our experience, lasting now over a period of eighteen years, reduces this housing problem entirely to a question of management. We have come to think that a badly-constructed house, well and efficiently managed, can be much less of a slum than one where there is no control, be it ever so well equipped. The problem, as we now see it, lies in the people and not in the houses. That the houses of our laboring classes should come to mean *homes*—that they should be clean and fresh and full of light and sweetness—we should all desire, but experience has taught us that in order to bring this to pass the people must desire it also. It is not even enough, nor is it possible to remove them to modern well-built houses, with all the most modern sanitary conveniences. The change is too sudden. The modern improvements they do not appreciate, and do not know how to employ. It is necessary to go to them where they are and as they are, and there teach them order and cleanliness, and the love of fresh air, and a knowledge of the uses and preparation of food. . . .

"To attack the problem in the mass is, we think, a mistake. Each family must be treated by itself, and its members must learn

for themselves that while we as landlords have awakened to a new sense of our duties and responsibilities towards them, they on their side as citizens as well as tenants have very distinct and very definite duties and responsibilities which they must also realize and perform."



## MEDICAL INSPECTION OF PUBLIC SCHOOLS

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Within the past twenty-five or thirty years there has been produced a considerable literature on school hygiene, but much of this has dealt with the subject in a general way, without furnishing any definite plan for enforcing its requirements in practice. Systematic medical inspection of public schools is a regulation of comparatively recent establishment. It is perhaps fair to say that New York City alone, through the co-operation of its educational department, with its able department of health, had definitely committed itself to a policy that will admit of future expansion and eventually include oversight of the schools and school children.

Education should aim to develop good minds, good habits, good characters and good citizens, and this cannot be accomplished unless the mental training and the methods of education are directly influenced by the physical life and constitution of the individual child. The relation between the mental and the physical in school training appears plainly when the causes of dullness or other defects become subjects of investigation. In a report upon the mental condition of 50,000 school children in London, 1892-94, Dr. Francis has grouped the main classes of defects as follows:

"(a) Defects in development of the body in size, form or proportion of parts.

"(b) Abnormal nervous signs; certain abnormal actions, movements and balances.

"(c) Low nutrition as indicated by a child being thin, pale or delicate.

"(d) Mental dullness. Teachers' report of mental ability below average registered as dull.

"(e) Eye cases, defects or disease.

"(f) Rickets.

"(g) Exceptional children."

Children of school age are subject to attacks of certain diseases, which because of the possibility of transmission to others assume a public interest apart from the effect upon the individual child. New York, Philadelphia, Boston, Chicago, Baltimore and other cities maintain supervision of the schools for the purpose of preventing the spread of contagious disease. Broadly viewed, however, medical inspection embraces besides the examination of the child, the sanitation and hygiene of the building, its structure, ventilation, heating, lighting, plumbing, seating and cleaning; the printing and paper of books used; the proper use or non-use of slates, pencils and stationery, and the acoustic properties to save wear and tear of the voice.

Such inspection as has occurred has usually come directly through the board of health co-operating with the department of education. In Chicago the department of education is said to have more direct charge. Some five or six years ago, as a result of civil service examinations, fifty physicians were appointed medical inspectors of schools. Each inspector was given a district and required to visit the schools three times a week, but unfortunately this is said to have lasted but one year, and after that all but twelve of the inspectors were dropped. These are now employed as emergency inspectors, each being on duty ten months of the year, during which time he is expected to visit schools when sent for by the principal. The character of the cases inspected varies naturally according to the inclinations of the individual principals. Some principals send for the inspector to treat scabies or eczema; others only when there is a suspicion of diphtheria, scarlet fever or small-pox. The physicians are forbidden to visit the children in their homes. Although this medical inspection is under a superintendent of the board of education, that department seems to restrict its authority to arranging calls and the time of service in districts. The physicians refer all matters involving serious questions to the board of health.

In New York an investigation by an inspector of the department of health was made in October, 1896, to ascertain the part played by the schools in spreading contagious diseases. The schools from which cases of these diseases had been reported to the department were visited and an examination made of all children present in classes where sick children had been in attendance. Children

who were absent from the classes were visited at their homes to ascertain the cause of absence. This investigation showed that a great number of these children were sick with contagious diseases and that they had been directly infected in school rooms where conditions were most favorable to such results. These conditions included not only the presence of sick children but heat, overcrowding and other unsanitary surroundings. It was also found that children had continued in school when a member of the family was at home ill with some contagious disease. Others who returned to school after an absence of a day or two, confessing to a slight sore throat, were found, when submitted to a bacteriological test, to be affected with diphtheria. Investigation for measles and other diseases brought forth similar evidence of infection in the schools. The writer once saw a child who, after two weeks' absence from school on account of scarlet fever, had returned to class and was entertaining his fellow pupils by pulling the desquamating skin from his hands and fingers and passing it around for trophy. This and more detailed facts were embodied in a special report presented to the board of estimate, which at once appropriated money to pay one hundred and fifty inspectors, at the rate of \$30 per month.

In March, 1897, these inspectors were assigned to duty and the system was inaugurated. Each inspector was instructed to report before ten o'clock in the morning to examine all children whom the teacher had sent to his office (in the school building), and who were suspected of having anything contagious. This was a good beginning, but the inspection was, in fact, very superficial, and dependent upon the school teacher, who was naturally unable to detect symptoms, unless well marked. With the heavy weight of her class upon her, she was unable, however willing, to give close observation to the individual child. Although incomplete, this supervision was regarded, as it proved to be, a source of some advantage. The presence of a physician in the school had provided, at least for the immediate disposal of the doubtful cases discovered by the teachers. The report of the first year's work showed, inspections, 108,628, exclusions for all diseases of an infectious or contagious nature, 6,829.

In June, 1902, an eminent eye specialist, member of the advisory board of the department of health, urged examination of the children in the schools for the detection of trachoma, a serious and



contagious eye disease. Sixteen trained oculists examined the children in thirty-five schools, with the following results:<sup>1</sup> Pupils examined, 55,470; found to have contagious ophthalmia, 6,770, or 12 per cent., as follows: severe trachoma, 2,328, or 4.2 per cent.; mild trachoma, 3,243, or 5.82 per cent.; acute conjunctiva, 1,099, or 1.98 per cent.

This examination, followed up by the earnest efforts of the health commissioners, resulted in important changes in the methods and routine of the service. Provision was made in September, 1902, in all the schools for the inspection and examination of every child by a medical inspector. Selection of about one-third was made from the men and women on the staff, and the salaries of inspectors were raised from thirty to one hundred dollars per month, the department demanding practically their whole time. From the opening of school, September 15th, to April 1st, five and one-half months, 5,381,616 inspections were made resulting in 57,986 exclusions. The following cases of disease were excluded during the quarter ending December 31st: Measles, 18; diphtheria, 140; scarlet fever, 13; whooping cough, 61; mumps, 9; trachoma, 12,647; pediculosis, 8,994; chicken-pox, 172; skin disease, 662; miscellaneous, 1,823; total, 24,538.

There was naturally much argument and protest against this "wholesale exclusion." The honestly administered health department was charged with demoralizing the department of education by emptying the school rooms. In some quarters the evidence of such extensive pediculosis was regarded as alarming. This, however, was not the view of the more intelligent. "It is no disgrace," said one physician quoted by Dr. Lederle, "for a child to be affected with head trouble, but it is a disgrace to have the trouble and not treat it." The most serious charge, however, was that neither the public nor the children were protected. The children excluded from school waited on the doorsteps to play with their classmates or romped with them through the halls of the tenement. Well meaning but overworked mothers were not able to properly care for their children. Indifferent or ignorant parents took no action, unscrupulous ones took this means to avoid the compulsory education law and avail

<sup>1</sup> The tables of diseases and statistics have been compiled from the reports of Dr. Lederle, Commissioner of Health, New York, 1902-04; Dr. Darlington, Commissioner since 1904; Dr. Cronin, Assistant Chief Medical Inspector; Miss Rogers, Superintendent of Nurses' Department of Health, and from the Eastern Public Education Association.

themselves of the child's service. From the child's point of view exclusion often amounted to permanent loss of education. The period of school life which for the poor child is limited by the law's demand (unless further diminished by violation) as a result of medical inspection, was shortened still more.

To meet the perplexities of this situation the Nurses' Settlement in Henry Street offered the services of one of its trained nurses for one month to assist the department in working out a practical plan. At the end of the month of twenty school days, six of which were Jewish holidays, when there were naturally a large number of absences, the nurse had cared for and treated 829 cases. Ninety-three children who had been absent and receiving no treatment returned to school, and 137 visits were made to the homes. At the conclusion of the month the medical inspector, principals and parents voted the plan of providing a nurse for the children a success and the board of estimate early in November appropriated money for the continuance of the work. It has since been enlarged until under the present administration there are assigned to this work a supervising nurse and thirty-four nurses, as follows: Manhattan, 20; Brooklyn, 10; Bronx, 1; Queens, 2; Richmond, 1.

With the advent of the nurse the objective point of medical inspection was reversed. Formerly when a child was sent home with a disease the case was considered closed, but under the new regulations it becomes the duty of the nurse to see that the case is properly treated. Practically all diseases except diphtheria, scarlet fever, measles, varicella, whooping cough, mumps and acute coryza are placed under treatment and returned to the class. The aim of the inspection is now to minimize the number of exclusions.

The routine established at the beginning has in its essential features been since maintained. The medical inspector must visit all schools assigned to him before ten o'clock each morning. This is called the morning visit, and consists in seeing all children isolated by the principal under suspicion of having some contagious disease, children who for reasons unknown have been absent from school for a certain number of days, and children excluded from school. After the morning inspections have been made the inspector returns to one of his schools for an examination of all children present. The physician enters the classroom, standing in a favorable position,

with his back to a window, and the children pass in procession before him; in passing the pupils pull down their own eyelids and open their mouths wide, while the physician examines eyes, throat, hair and hands, not, however, touching the pupils in the classroom. The children suspected of having trouble are taken out of the procession and ordered to the inspector's office in the school building for a more thorough examination. Those found to be suffering from pediculosis, eye or skin disease are allowed to return to class and are excluded at the next recess. Cases of measles, scarlet fever and the like are telephoned to the inspector of the central office of the department, and thus come under the district inspector, who visits the child at his home. If the diagnosis is not verified the district inspector reports to the school inspector, who orders the child back to school. Children absent from school for no known reason are visited and a great number of contagious diseases unreported to the department are thus discovered. From November 1, 1903, to May 12, 1904, 891 such cases were found, and this had also had the incidental effect of stimulating negligent physicians to report contagious cases.

The doctor is followed by the nurse, to whom all cases are sent with a diagnosis, in cipher. It was found necessary to use a code in order to save embarrassment to the children who were sent for unclean heads. To prevent classmates from obtaining too much information, pediculosis has several code numbers; for the same reason children who have nothing the matter with them are also sometimes sent to the office. The nurse receives definite prescriptions from the physician and gives treatment wherever possible in the place assigned to her in the school building, sending the child back to class immediately. After she has made her rounds in the school she visits the homes of the children who have been excluded, explaining the case to parents and, if necessary, making demonstrations. Where further medical attention is required, unless the family has its own physician, the nurse indicates places where clinics are to be held. Children without guardians to properly care for them are taken to dispensaries for treatment or operation. When a child is found to be totally uncared for the case is referred to the proper agencies for relief. One nurse reported after a year's experience but one exception to the rule of courteous treatment by the families.



The superintending nurse made the following report for the year 1904: Cases treated—pediculosis, 509,142; eye diseases, 204,277; scabies, 1,448; ringworm, 18,808; impetigo, 3,619; sores, 279; miscellaneous, 46,112; total, 783,685. Tenements visited, 27,010; schools visited, 26,703; miscellaneous, 964; total visits, 54,677.

An unexpected problem presented itself in the occasional refusal of children and parents to permit treatment. This was met by the district superintendent of schools co-operating with the district attorney, who declared that any parent who refused to put a child under proper treatment was committing a violation of the compulsory education law, and was punishable by fine. A test case was brought and the father fined ten dollars.

The success of this whole movement has been due in large part to the harmonious way in which the health department and the department of education have worked together toward the same end. Attention has already been called to the assistance which is rendered the board of health in discovering contagious diseases by the investigation of all cases of absence from school without known cause. Not only are many cases directly discovered in this way, but negligent physicians are at the same time stimulated to make prompt reports. On the other hand, the school inspection is facilitated by reporting daily to the schools all cases of contagious disease known to the department of health. For the nurses' work, supplies are furnished by the department of education upon requisition of the principals. The most intelligent co-operation naturally comes from those principals who have given the subject some thought and who, apart from the more specifically hygienic reasons, welcome a service which assists in keeping up attendance.

With improvement in the facilities for nurses' work more complete preventative measures can gradually be developed. Printed instructions about the care of the head are now given to the children in sealed envelopes, and provision for thorough examination by eye specialists for error of refraction will probably soon follow. In a recent limited investigation of 981 children, 30 per cent. showed refracted error in one or both eyes. In some communities where no medical board exists to perform such duty, annual examinations of the children's eyes have been made by the teachers. At a recent meeting of the American Medical Association, the following resolution was adopted:

"WHEREAS, The value of perfect sight and hearing is not fully appreciated by educators, and neglect of the delicate organs of vision and hearing often leads to disease of these structures; therefore be it

"*Resolved*, That it is the sense of the American Medical Association that measures be taken by Boards of Health, Boards of Education, and school authorities, and when possible legislation be secured looking to the examination of the eyes of the children, that disease in its incipency may be discovered and corrected."

In New York the question of furnishing glasses is likely to arise, and when it does, may be expected to bring complications. Concerning the wisdom of such a policy, there would doubtless be some difference of opinion, but it is not difficult to predict that some fair and just provision will ultimately be effected. The proper position of the child, both standing and sitting, care of ears, teeth and other similar matters of cleanliness and health are all destined sooner or later to receive the public attention they deserve. Sanitation and care of school buildings, including the proper removal of dust must be provided for with greater care, even though it involve the education of the janitor. One of Boston's honored scientists has said, "So long as Boston pays one thousand dollars a year for feather dusters, her citizens cannot pose as reformers."

It is difficult to place a limit upon the service which medical inspection should perform. Many children suffer physical strain from the too great weight of books which they are carrying home; such cases are obviously proper subjects of medical attention. But what is to be done with children suffering from anæmia, under-feeding and who are consequently unable to assimilate the education provided for them? Is there not here involved a question to which the state should give its attention? In too many cases the child returns to school after the noon recess without having partaken of a noon meal. If provision were made that this time should be spent in the school, a suitable hot meal approved by the medical inspector would seem to be an appropriate provision. The state recognizes its responsibility for the development of citizens. To meet this responsibility, the school is its most efficient agency. If for safe-guarding the state, mental training is made compulsory, is it not logical to conclude that physical development—the sound body as well as the sound mind—should as far as possible be de-

manded? From the obligation to cure to the obligation to prevent is but a single advance step in the growth of civic conscience. Adequate and intelligent medical inspection would perhaps meet with less resistance if regarded, not as reform, but rather as a natural development of ideas held by the founders of the republic who placed the school on the same level with the home in responsibility for the maintenance of good citizenship.



## RECENT EXTENSIONS OF MUNICIPAL FUNCTIONS IN THE UNITED STATES

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During the past few years there has been much agitation in the United States in favor of the extension of municipal functions. This has had particular reference to undertakings which have hitherto been operated by private corporations acting under special franchises for the use of the public streets. There has been a corresponding amount of discussion in opposition to such proposals, which has been strengthened by the criticism in Great Britain of what in that country has been called municipal trading. It is not the purpose of this article to consider the arguments on either side of this prolonged debate; but it is intended simply to present a brief record of the recent developments in relation to municipal activities in our own country.

It is no easy matter to bring together even the most important facts for such an account. Neither the national government, nor any one of the states has any official record of what the cities are doing; while the legislation on the subject has been mainly enacted with reference to particular cities. Within the period to be covered, however, there have been a few municipal laws of a general nature, which stand out in marked contrast to the prevailing system of special legislation. The most important of these is the municipal code of Ohio, enacted in 1902, to correct a situation brought about by decisions of the Supreme Court of that state. These decisions had declared unconstitutional a great mass of legislation passed during the preceding fifty years, to circumvent the constitutional requirement of general uniform legislation. This new code gives to every municipality in the state the same authority, and thus has extended to all every power previously exercised by any one. In 1903 the Virginia assembly passed a law re-enacting and amend-

ing the statutes in reference to cities and towns, to meet the conditions of the new state constitution; and in the same year a New Jersey act was passed for the government of all cities which adopt it. The general tendency of these and other measures is in the direction of increasing the functions of municipalities in the United States, especially in the field of municipal ownership and operation of what are vaguely called public services, but at the same time to do so by continuing the policy of specific enumerated grants of power. There is no evidence of any change to the policy of the countries of continental Europe, where cities have general authority to undertake any functions affecting the interests of the city, subject only to the specific restrictions and regulations imposed by the central administration. Along with this increase in the active operations of cities, may be noted a tendency to restrict the discretion of city councils in granting franchises conferring special privileges in the public streets.

#### *Public Safety.*

Turning to an examination of more specific functions, we may note first the situation in the field of public safety, or the measures for protecting life, liberty and property. Here the most striking changes have been, not in the direction of extending municipal activities, but in the assumption by the states of functions formerly left to local communities. This has been done in two ways: by the establishment of small bodies of state police, for service anywhere in the state; and by giving the management of municipal police to state appointed boards. Apparently the first action in reference to a distinctively state police was taken by Massachusetts in 1865, when a small force of state constables was established mainly for the enforcement of the law prohibiting the liquor traffic. On the repeal of the prohibition law in 1875 the state police was continued as a detective force to aid in the suppression of disorder and the enforcement of criminal laws, and its functions have since been extended to include the inspection of factories. More recently the office of fire marshal, for the investigation of fires, has been incorporated with the state police.<sup>1</sup> Rhode Island in 1886 established a chief of state police with powers of direction over the sheriffs and local police, in connection

<sup>1</sup> R. H. Whitten, *Public Administration in Massachusetts*, chap. 6. (Columbia University Studies, Vol. VIII.)

with the enforcement of the prohibition law then re-enacted in that state.<sup>2</sup> But this office lasted only a few years. Another brief experiment with state police was made by New Jersey from 1891 to 1894. Soon after the establishment of the system of state liquor dispensaries, South Carolina (in 1896) established a force of state constables to aid in the enforcement of liquor laws.<sup>3</sup> A statute of 1903 further regulates the organization of this force. The governor appoints the chief state constable, who receives a salary of \$1,500 a year, and this officer appoints seven assistant chief constables and other state constables to assist him in his work. Connecticut has also organized a body of state police (in 1903) similar to that in Massachusetts, specially for the enforcement of the laws relating to intoxicating liquors and gaming, and taking over the functions of the state fire marshal. There is provided a superintendent of police at \$3,000 a year, an assistant superintendent and from five to ten police officers, all selected by a board of five unpaid commissioners, who in turn are to be chosen biennially by the judges of the superior court.

Of a somewhat different nature are the bodies of mounted rangers established in less settled regions for the suppression of violent disorder and the protection of the Mexican frontier. The Texas rangers, organized in 1901, may consist of four companies, each composed of twenty-two men, the captains and the quartermaster in command of the whole force being appointed by the governor of the state. In Arizona the rangers as reorganized in 1903 consist of twenty-six men mustered into service by the governor of the territory. Both in Texas and Arizona the governors strongly commend the work of these rangers.

State appointed police boards for particular cities have been established for some time in a considerable number of cities. New York had such a board from 1857 to 1870; and during that period similar boards were established for large cities in other states. Then came a period when most of the state boards were abolished. But since 1885 there has been a revival of this system; and it is in existence in St. Louis, Boston, Baltimore, San Francisco, Kansas City, Mo., Fall River, St. Joseph, Birmingham, Manchester, N. H.,

<sup>2</sup> C. M. L. Sites, *Centralized Administration of Liquor Laws*, p. 72. (Columbia University Studies, Vol. X.)

<sup>3</sup> *Ibid.*, pp. 73, 118.



and eleven Indiana cities.<sup>4</sup> Still more recently state police boards have been provided for Newport and Providence, R. I.; while the new Ohio code contains a provision under which boards of public safety have been appointed by the governor of the state in Toledo and eight other cities.<sup>5</sup> The governor appoints these boards in Ohio cities when the mayor's nominations are not confirmed by *two-thirds* of the council. In Indiana, however, a statute of 1901 to place the police and fire departments of Fort Wayne, Terre Haute and South Bend under state boards of public safety has been declared unconstitutional. The police of Cincinnati and Denver have within the past two years been transferred from the control of state boards to locally appointed authorities.

Probably the most important development of municipal activity in the field of public safety has been the work of the new tenement house department in the city of New York established in 1902. This department took over the powers over tenement houses formerly exercised by the departments of health, fire and police, and has important additional powers under the statutes providing for the new department. It conducts an elaborate system of inspections of old buildings, and requires repairs and improvements so as to render them sanitary, safe and habitable. It also supervises the construction of new buildings, and makes systematic inspections to see that there are no violations of the provisions of the law to secure stability of structure, protection from fire, and adequate sanitary conditions. But the requirements of the law still permit a much greater degree of compact building in New York than in the largest cities of Europe. In Germany, dwelling houses even in the business sections **must have** at least one-third of the area of building lots left as court yards, and in residence sections at least a half.<sup>6</sup> In New York only one-fourth of the lot area must be left unbuilt.

#### *Public Works.*

Steady advance is being made by American cities in providing street paving, street cleaning, garbage disposal, sewer systems, parks and similar public improvements. This development, however, is rather the extension of established fields of municipal action than the

<sup>4</sup> Terre Haute, South Bend, Anderson, Elkhart, Richmond, Huntington, Jeffersonville, La Fayette, Logansport, Muncie and New Albany.

<sup>5</sup> Hamilton, Findlay, Fostoria, Lorain, Middletown, Painesville, Van Wert and Warren.

<sup>6</sup> C. Hugo: *Deutsche Stadtverwaltung*, 429, 430.

inauguration of a new policy. But it is significant of the niggardly methods in legislative grants of municipal powers that even for these functions, clearly accepted as within the proper scope of municipal work, a great deal of additional legislation must be passed every year in order to authorize the necessary undertakings. In regard to street paving, a novel feature has been the establishment of a municipal asphalt plant in the city of Detroit, which repairs and resurfaces asphalt pavements instead of making contracts for this class of work. Some street cleaning is now done in most American cities; and with comparatively few exceptions by a force of municipal employees. The latest returns on this subject are shown in the table below:<sup>7</sup>

GROUPS OF CITIES.	Number of Places.	Number Reporting Street Cleaning.	Municipal Employees.	Contract.	Both.
Over 30,000 pop'n . . .	135	132	115	9	7
10,000-30,000 . . . . .	304	291	272	13	4
5,000-10,000 . . . . .	465	435	386	30	9
3,000- 5,000 . . . . .	620	16	466	31	5
	1,524	874	1,239	83	25

Baltimore and New Orleans, the two largest cities which have had no system of underground sewers, have at last taken up this important work. Many smaller cities are doing the same; and the general situation in regard to sewage is indicated in the following table:<sup>8</sup>

GROUPS OF CITIES.	Number of Places.	Number with Sewers.	Public Works.	Private Companies.
Over 30,000 . . . . .	135	131	131	..
10,000-30,000 . . . . .	303	277	269	8
5,000-10,000 . . . . .	463	364	346	15
3,000- 5,000 . . . . .	623	324	299	19
	1,524	1,096	1,045	42

<sup>7</sup> *Engineering News*, Vol. XLVIII, p. 422.

<sup>8</sup> *Municipal Year Book*, 1902.

Two undertakings of special importance for the final disposal of sewage should also be noted. In 1900 the Chicago drainage canal was opened, much to the improvement of the Chicago river; and since then there has been a steady progress in the work of connecting other parts of the sewer network in the drainage district with the canal. In 1902 a state commission was established in New Jersey to construct trunk outfall sewers to carry the drainage from the cities of the densely populated Passaic valley, and a year later the issue of \$9,000,000 in fifty-year bonds was authorized for this work.

Other works for the improvement of sanitary conditions are water purification plants. The most important new works of this kind are those under way in Philadelphia and Pittsburg.

### *Municipal Ownership.*

Attempts to extend municipal activity into the disputed field of "public utilities" meet with varying degrees of success with respect to different classes of undertakings. Some additions have been made to the list of municipal water works, Memphis in particular, where public management has already been established. Plans to take over the private works in Denver are apparently defeated for a time. Municipal electric lighting plants are increasing rapidly in number and importance, and the indications are that such undertakings will before many years be as commonly municipal as are the water works at present. The latest attempt in this direction is in the city of New York, and the successful establishment of a municipal plant there would greatly strengthen the movement in this direction throughout the country. Municipal street railways are still only in the stage of discussion and agitation.

Recent investigations make possible a definite record of the present status of municipal undertakings of these kinds. In reference to water works, the following table shows the situation in 1902.<sup>9</sup>

A more exhaustive investigation, including the smaller towns, made in 1898 by the United States Department of Labor showed a total of 1,787 municipal water works and 1,539 under private control. It should be noted, however, that the higher proportion of municipal works among the large cities increases the significance of municipal works as a whole. In 1898 the total investment in

<sup>9</sup> *Municipal Year Book*, 1902, pp. xxix, xxxi.



GROUPS OF CITIES.	Total Number of Water- works.	Number of Municipal Works.	Per cent Municipal.
Over 30,000 population . . . . .	135	95	70.4
10,000-30,000 population . . . . .	302	152	50
5,000-10,000 population . . . . .	458	234	50.1
3,000- 5,000 population . . . . .	580	318	50.5
New England States . . . . .	226	143	63.2
Middle States . . . . .	335	140	41.7
North Central States . . . . .	372	243	65.3
Northwestern States . . . . .	150	86	57.3
South Atlantic States . . . . .	107	64	59.8
South Central States . . . . .	91	36	39.5
Southwestern States . . . . .	124	55	43.5
Pacific States . . . . .	70	32	45.7
United States . . . . .	1,475	799	54.2

municipal plants was nearly double that in private works.<sup>10</sup> From the census report on central electric light and power stations, the following data has been compiled showing the number and distribution of municipal plants in 1902:<sup>11</sup>

GROUPS OF CITIES.	Total Number Electric Stations.	Number Municipal.	Per cent. Municipal.
New England States . . . . .	314	35	11.1
Middle States . . . . .	641	79	12.3
North Central States . . . . .	1,112	341	30.7
Northwestern States . . . . .	511	145	28.4
South Atlantic States . . . . .	209	64	30.6
South Central States . . . . .	205	64	31.2
Southwestern States . . . . .	381	62	16.3
Pacific States . . . . .	251	25	10
United States . . . . .	3,624	815	22.5

As municipal electric light works are found mostly in small cities, these figures exaggerate the importance of municipal lighting. Measured by horse power and output in kilowatts the municipal

<sup>10</sup> Report of the Commissioner of Labor, 1899, p. 12.

<sup>11</sup> Census Bulletin, Nov. 5, 1903.

plants furnish about 8 per cent. or 9 per cent. of the electric lighting and about 20 per cent. of the public street lighting. In the states where municipal plants are most frequent the proportion is naturally much higher, the maximum for any state being found in Michigan, where municipal plants furnish about 30 per cent. of the total electric lighting and nearly two-thirds of the public street lighting.

Municipal gas works are still very infrequent in the United States. In 1902 there were only twenty, as compared with 961 cities with private gas works; while the municipal works are in small cities, and their total output is less than one per cent. of the illuminating gas produced.<sup>12</sup>

While there is now no street railway operated by a municipal government in this country, Boston and New York have taken long steps in the direction of municipal ownership of underground roads, leasing them for a term of years to operating companies. To the original Boston subway, completed some years ago, there has been added a tunnel under the harbor to East Boston; and work has been begun on a new subway under Washington street. A much larger undertaking has been the New York subway. The first lines contracted for, sixteen miles in length and costing \$35,000,000, were opened to service in October, 1904; construction is actively proceeding on a second line under the East River to Brooklyn, and additional lines are being proposed.

In addition to the special legislation authorizing particular municipal undertakings of this kind for individual cities, there has been enacted within the past few years a number of statutes conferring broader and more general authority on cities. The new Ohio municipal code authorizes municipal water works and electric lighting plants in every city in that state; and the law governing bond issues confers financial powers sufficient to make the other grant effective. A Missouri act of 1903, applying to cities of less than 30,000 population, is the broadest in the scope of powers conferred. This authorizes such municipalities to undertake any public utility, and specifies not only water works and light, heat and power plants, but also telephones and street railways. Such undertakings will be under the control of a board of public works consisting of four members appointed by the mayor and council, not more than two of the same political party. This act is, however, not likely to extend

<sup>12</sup> Census Bulletin, No. 123.

very largely the scope of municipal action, as there is no provision for financing these undertakings either by the issue of bonds or in any other way. A Kansas act of the same year authorizes in cities under 15,000 population, municipal water works, and gas, oil and electric plants, to secure which bonds may be issued on a vote of the electors, up to the general debt limit of 15 per cent. of the assessed value of the property. The general municipal act for larger Kansas cities only provides for municipal water and lighting plants at some time in the future, but Atchison and Leavenworth have received special authority to establish municipal water works.

A California act of 1903, amending the powers of cities under 3,000 population, adds authority to establish and manage water works, wharves, street railways, telephone and telegraph lines, and lighting and heating plants; but like the Missouri act this fails to give adequate financial powers. Under the new general municipal law in Virginia, cities are authorized to provide water works; and bonds issued with the approval of the voters for this or other revenue-producing undertakings are not included within the debt limit so long as the revenue is sufficient to pay the cost of maintenance, interest on bonds and insurance, and to provide a sinking fund.

Perhaps the most significant statute of recent years providing for an extension of municipal administration in this direction is an Illinois law of 1903, authorizing the cities in that state to own and operate street railways. Not that this act is likely to be followed at once by the establishment of a number of municipal railways, for the act was intended primarily only for the city of Chicago, and even this city, the friends of the measure explained, did not propose to establish a municipal road in the near future, but wished the authority in order to strengthen the hands of the municipal authorities in negotiating for extensions and renewals of franchises to private companies. Nevertheless the act is of special significance because, in addition to the formal grant of authority, there is a careful attempt to provide a satisfactory method of meeting the serious financial difficulties involved in this new departure, so that the grant of power will be effective and adequate whenever it is considered advisable to make use of the authority.

This act applies to all cities in the State of Illinois, but before any of the powers conferred can be exercised the act must first be adopted as a whole by popular referendum in the city concerned,



while additional referendum votes must be taken in reference to various special features of the law. The authority given is "to construct, acquire, purchase, maintain and operate street railways within the corporate limits," and franchises granted before this power is acted on, may contain a reservation of the right on the part of the city to take over the plant at some future time. Two methods are provided for securing funds for purchasing or constructing municipal railways. General city bonds may be issued, provided the proposition is submitted to popular vote and approved by two-thirds of those voting, but the debt limit is almost certain to prevent this method from being adopted. The other alternative—and this is the most striking feature of the act—is to issue street railway certificates, secured by a mortgage on the railway, giving the mortgagee in case of foreclosure the right to maintain and operate the road for a period of not over twenty years. An ordinance providing for such certificates must, however, be submitted to popular vote and be approved by a majority of those voting on the question. It is expected that such certificates will not be considered by the courts as part of the city debt limited by the state Constitution. When a city has secured a street railway it may operate it under direct municipal management only if that policy is approved at a popular referendum by three-fifths of those voting. Or the city may lease the road for a period not over twenty years, but any ordinance authorizing a lease for more than five years must be submitted to a referendum vote on the petition of 10 per cent. of the voters.<sup>13</sup>

#### *Franchises.*

Since 1900 a number of states have established general conditions for franchises dealing with municipal services, and authorized municipal regulation of private companies operating such services. A California law of 1901 provides that sales of franchises must be advertised, and that the city must receive at least 2 per cent. of the gross receipts after five years. A South Carolina statute of 1902 authorizes the grant of franchises for light and water supply, for a term of not over thirty years, on a two-thirds vote of the city council, confirmed by a majority vote of the electors. The new Ohio code provides that street railroad franchises may be granted, for not

<sup>13</sup> For an account of the dramatic incidents connected with the passage of this bill through the Illinois House of Representatives, see the *Atlantic Monthly* for January, 1904.

more than twenty-five years, only after three weeks' notice, to those who offer the lowest rates of fare and have secured the consent of property owners representing the greater part of the route.

In the new Virginia constitution it is provided that franchises for the use of the public streets shall not be granted without the consent of the municipal authorities, nor for a term of more than thirty years; and that they may contain provisions for public purchase at the expiration of the term. These constitutional requirements have been supplemented by an act of 1903 regulating the granting of franchises, which was afterward incorporated with some additions in the new general municipal act. It is now provided that the streets and public property of cities and towns shall not be alienated except by a vote of three-fourths of the council, and streets may not be used for street railways, water systems, gas pipes, telephones and similar purposes, except with the consent of the municipal authorities. Franchises must be limited to not more than thirty years; and elaborate provisions are established to insure publicity and competitive bidding. Advertisements inviting bids must be published for four weeks; bids must be opened and read in public session of the council; if the highest bid is not accepted the franchise ordinance must state the reasons for preferring a lower bid, and no amendments may be made in the terms of the grant without public advertisement for ten days. The courts are given authority to enforce by mandamus the terms of the grant. Such a franchise grant may provide that at its expiration the plant as well as the property in the streets may revert to the city either without compensation or on a fair valuation of the property, but without including any value for the franchise. The city may then sell or lease the property, or, *if authorized by law*, may maintain and operate it.

The Kansas act of 1903 for cities over 15,000 population limits the term of franchises to not more than thirty years, but contains none of the provisions for publicity such as are contained in the Virginia act. It does, however, authorize the councils of such cities to prescribe reasonable rates for water, electricity, gas, telephones or other commodity furnished by virtue of a franchise, the question of the reasonableness of the rate fixed being subject to review by the district judges. Water works may be purchased by a city ten years after a grant has been made, but in the case of gas or electric works or street railways the city may acquire only on the termination of a

*future* grant, and when it secures possession can only lease the plant or make a contract for operation. Provisions are made for appraising the value of the plant in case of purchase. By another act cities of less than 15,000 population may grant franchises for only twenty years, and the mayor and council may make contracts and fix rates to private consumers.

Some other acts passed during the legislative sessions of 1903 may also be briefly noted. A Minnesota act authorizes city councils to contract for water supply for a term not over thirty years, and for lighting for a term not over fifteen years, if there is no municipal plant. No further conditions are imposed. Wisconsin and Montana have provided for a referendum on franchises, in the first-named state on the petition of twenty per cent. of the voters, in the second named, the approval of the *resident freeholders* is an essential requirement. In Arkansas the councils of cities have been given power to fix reasonable rates for water, gas and electricity, on complaint and after an examination. In Missouri, cities under 30,000 population have been given the same authority with the further addition of telephone rates, and the same class of cities have been given power to grant thirty-year franchises to heating companies.

With such restrictions in franchises and municipal regulation of rates, it is clear that, even if municipal operation of such services does not become common, a larger degree of public control over the private companies is at least being established. There is perhaps some need for distinguishing between the relative importance of different conditions. Those requiring previous public notice and local consent are clearly to be commended at all times. The limitation of franchise terms to between twenty or thirty years is an essential condition if other means of control are lacking. But if a city reserves the right to revise the payments to the city at short intervals, to regulate rates of service, and to purchase the plant for the value of the tangible property, there is no need for limiting closely the duration of the franchise, and for certain works involving vast amounts of fixed capital a longer period than thirty years may be necessary.



## THE REORGANIZATION OF LOCAL GOVERNMENT IN CUBA <sup>1</sup>

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The staunchest partisans of Cuban independence viewed with some misgiving the withdrawal of American control over the internal affairs of the island. Thirty-five years of insurrection were not calculated to develop those civic qualities which lie at the basis of a stable, orderly and efficient government, especially when we keep in mind the fact that under Spanish rule the native population was systematically removed from contact with public affairs. During the period of American military occupation, no branch of the public administration presented greater difficulties than the management of municipal matters. The people expected that the intervention of the United States would soon be followed by the grant of a wide measure of autonomy to the municipalities. It is a curious fact that all the Latin-American peoples regard municipal autonomy as the principle upon which the political system of the United States rests, and it is therefore taken for granted that the extension of American influence means the emancipation of local government from central control. Even the more conservative Cubans felt that the centralization of the Spanish system was at an end. The Secretary of State under the American military government gave expression to this sentiment in his report for the fiscal year 1899-1900, when he said: "It is not meet that in a liberal and decentralizing régime, which is to acknowledge the personality of municipalities as one of the organs of the state, the municipal corporations, even though they are of popular and elective origin, should become agents of the central government."

As soon as it became apparent that the American military governor was determined to maintain control over the administra-

<sup>1</sup> Read before the American Political Science Association, Chicago, December 29, 1904.

tive affairs of the towns, a wave of disappointment amounting almost to indignation swept over the island. "Have all the years of effort to rid ourselves of Spanish rule," it was asked, "resulted in nothing more than the substitution of American for Spanish tyranny?" "Are we never to escape from the administrative despotism which we hoped had been brought to a close through the friendly intervention of the United States?" These and similar questions constantly asked, served in no small measure to arouse distrust of the American government and strengthen the agitation for the immediate establishment of an independent republic.

It was evident to every impartial observer of the situation that any attempt to meet the demands for local independence would entail disastrous consequences. Not only did the municipal authorities lack experience in the performance of the elementary public services, such as street cleaning and sanitation, but there was also a total absence of definite standards of local public opinion—the two elements necessary for the successful working of a decentralized administrative system.

The system of local administration which the American military government found in force was based on the Spanish law of June 28, 1878. This law deserves special attention because it is in many respects a most characteristic piece of Spanish legislation. It was framed ostensibly in a liberal spirit, and was heralded as an epoch-making step towards local autonomy. The town council was made elective with a membership varying according to the size of the municipality. It was also provided that the council should have power to propose candidates from amongst its members for the office of mayor. The same article practically nullified this power by permitting the governor-general to reject all such proposals and to select for the executive head of the city any member of the council, or any citizen of the town, or any person whom he might deem fit, even if such person was not a resident. The fact that the mayor was removable at will, placed the executive authority of the towns at the mercy of the central government. Municipalities were divided into districts or wards, at the head of each of which a district executive appointed by the mayor was placed. The mayor was made *ex officio* presiding officer of the council.

In addition to the mayor and council there was a third organ of local government known as the Municipal Junta. This junta

or board was formed by associating with the mayor and council an equal number of taxpayers appointed by the governor-general. Its main function was to grant or withhold final approval of the municipal budget. The central government was, therefore, able to control the legislative branch of the municipality in its most important function—the disposal of revenue. The executive branch of the government was completely at the mercy of the governor-general. In fact, the mayors, as well as the district executives, were regarded as political agents of the governor-general.

It is not surprising, therefore, that with such complete control established, the powers granted to the municipalities were relatively broad. Article LXIX of the law of June 28, 1878, enumerates these powers in general terms, thus allowing the municipality to exercise all powers not inconsistent with the laws of the state.

In order to ascertain the full extension of central control over the municipalities under the Spanish system, it is necessary to examine the provincial law and the law of public works, as well as the municipal law. In these laws we find enumerated in detail the cases in which the decisions of the municipal council must be submitted to the central government for approval. While therefor a cursory examination of the municipal law seems to indicate that wide freedom of action was allowed the municipalities, a more careful examination discloses the fact that comparatively little independent action was permitted.

Under the system in force at the time of the landing of the American troops, the highest administrative supervision was exercised by the governor-general through the secretary of state and government. Subject to his immediate control were the civil governors of the six provinces, to whom in turn the officials of the one hundred and twenty-eight municipalities were responsible. The two eastern provinces—Santiago de Cuba and Puerto Principe—although representing 57 per cent. of the total area of the island, contained but twenty-two municipalities, while the four western provinces—Havana, Pinar de Dio, Matanzas and Santa Clara—although representing but 43 per cent. of the total area, contained one hundred and six municipal corporations.

This multiplication of municipalities beyond all reasonable needs was due to the fact that under the Spanish system the municipal authorities were political agents of the central government.



The multiplication of local centers was, therefore, one of the means of strengthening the control of the state over the political activity of the inhabitants. Such domination acquired special significance after the outbreak of the revolution of 1868, in fact, it was regarded by the Spanish authorities as one of the most important means of checking the spread of disaffection.

The American military government realized that it would be necessary to reduce the number of municipalities, but the first definite move in this direction was delayed until January, 1902, owing to the necessity of first reorganizing the system of local finance. An order was then issued which consolidated a number of adjacent communities, reducing the total number by one-third. Under Spanish rule the municipalities derived the larger part of their revenue from taxes on the necessities of life, which bore most heavily on the poorer classes, and were regarded as peculiarly obnoxious and oppressive. A military order of March 25, 1900, abolished the "consumo" taxes, with the exception of the tax on fermented and distilled liquors. Although this step marked a distinct advance towards a more equitable system of taxation, its immediate effect was completely to cripple the municipalities. The central government found itself obliged to take over all the fundamental local services, such as sanitation, police, public education and charities. Almost without exception the municipalities were bankrupt. At the close of the first year of American occupation the central government, after performing all the important local functions, was called upon to pay municipal deficits amounting to nearly three hundred thousand dollars—all incurred during the fiscal year.

The situation was complicated by the popular clamor for the election of municipal officials. From the beginning of American occupation until July 1, 1900, municipal officials were appointed by the military governor. In June, 1900, the first local elections were held. These elections were interpreted by the people to mark the beginning of municipal autonomy. To have heeded the general demand would have meant anarchy in administration, and would probably have resulted, because of the neglect of public sanitation, in a serious menace to the health of the island. Fortunately the government was able to withstand the pressure, although at the cost of much of its popularity.

In the capital city the power of the central government was so

complete as almost to supplant the local authorities. From January 1, 1899, to June 30, 1900, the state treasury expended nearly five million dollars on public works and the maintenance of municipal departments in the city of Havana. In fact, not only in the capital city, but throughout the island, the influence of the military government in improving the efficiency of municipal services was distinctly felt; but such services were performed either directly by the central government or under its immediate supervision. When, therefore, the United States withdrew from the island, the towns were in a fairly satisfactory condition so far as sanitation and the protection of life and property were concerned. Their civic life, however, was still undeveloped. Those in closest touch with Cuban affairs saw that with the establishment of the new republic, the most serious questions would present themselves in connection with the administration of municipal affairs.

The stability and financial standing of the central government were practically guaranteed by the United States under the provisions of the Platt amendment. Furthermore, much had been done to acquaint the Cubans with American methods of administration. An interest in the civic affairs of the island had been aroused which prepared the way for the successful operation of the institutions established under the new constitution of the republic. All this stood in marked contrast with the condition of the municipalities, in which it seemed impossible to awaken a sense of responsibility to the obligations created by national independence. In the constitutional convention local government received considerable attention. The more radical element felt that there must be a complete break with Spanish tradition; and that the constitution should provide a scheme of government in which the autonomy of the municipalities would be fully safeguarded. If any control were to be exercised, it was contended that such authority should be vested in the elected representatives of the people in Congress assembled and not in executive officers. The American system of local government was constantly cited as the model after which the institutions of a free country should be patterned. There was a widespread feeling that the continuance of any system of control through executive officials would mean the perpetuation of the same kind of arbitrary authority from which the country had suffered under Spanish rule. It was expected that the convention would sweep

away the highly centralized Spanish system, and incorporate into the new constitution a system of local government which would insure local autonomy. As soon, however, as the convention began to consider definite plans, the widest differences of opinion presented themselves. These differences proved irreconcilable, and finally led the convention to adopt a compromise, under which it restricted itself to the insertion of a few fundamental principles in the constitution, leaving the details of municipal organization to be determined by the Congress.

The most important changes introduced by the new constitution were: (1) the provision for the election of mayors, and (2) the more definite limitation of the administrative powers of the provincial governors and of the President of the Republic over municipal affairs. Article CVIII provides that the governors of the provinces and the President of the Republic may only suspend the execution of municipal ordinances and resolutions when such ordinances violate the constitution, treaties or laws of the republic, or are contrary to the policy of the provincial council. The courts are empowered to determine in last resort whether the grounds of such suspension are valid. It was hoped that with these restrictions it would be possible to eliminate arbitrary interference with the affairs of the municipalities, and thus permit the development of a certain measure of local home rule. Although the leaders were conscious of the fact that but a part of what they had hoped to accomplish had actually been achieved, they felt that an important step had been taken towards giving the Cuban municipalities a position similar to that occupied by cities and towns in the American political system.

This constant desire to transplant not the actual American system, but rather those principles of government which the political leaders of Cuba believed to be characteristically American, lends a peculiar interest to the development of municipal institutions during the first years of the republic. It would be difficult to find a better instance of the conflict between tradition and conscious purpose. The leaders in the work of civic reorganization were determined to put an end to the highly centralized administration of Spanish times, but in the actual development of the system the force of tradition has proved stronger than conscious purpose. Although the municipalities enjoy more extensive powers in law, in fact they remain subservient to the central government. There has been a noticeable



tendency to give the broadest interpretation to the powers of the central government. In a number of instances, provisions of law have been invoked for the purpose of maintaining control over local affairs, which were never intended to receive so wide an interpretation. The most striking example is the use that has been made of a civil order issued by General Wood<sup>2</sup> in April, 1902, the purpose of which was to reorganize the fiscal management of the Cuban municipalities. It provided that in all municipal budgets, receipts and expenditures must be balanced and no obligation shall be contracted nor payment made which is not therein included without express authorization in each case from the governor-general of the island. The procedure to be followed in the drafting of the budget, its form, the method of book-keeping and the plan to be followed in the disbursement of moneys, were prescribed in detail. A provision which at the time attracted but little attention, but which was destined to be of far-reaching importance is the requirement of Article IX, which makes it the duty of local authorities to submit a certified copy of the budget to the Insular Department of Finance. The secretary of finance is given power at any time within one month after the receipt of the budget to suspend the execution of such items as may violate the provisions of the order, and at the same time to determine the modifications necessary for its enforcement. This provision has given the central government wide powers of control over local finances. When the municipal budgets are submitted, the central authorities do not content themselves with a formal examination to ascertain whether an equilibrium has been established.

An excellent illustration of the exercise of this power is to be found in a recent controversy between the municipality of Havana and the President of the Republic. In the city's budget for the year 1904-05 the city council considerably increased the number of officials in the city departments, involving an additional expenditure of nearly \$29,000 (\$28,235.49). Another item provided for the expenditure of \$209,737.92 in part payment for certain lands. The council had also decided to purchase the franchise and water works of a company in one of the outlying districts, for which \$600,000 were to be paid; the budget for 1904-05 providing for a first payment of \$200,000. When this budget was submitted to the cen-

<sup>2</sup> Civil Order, No. 112.

tral government it was found that both the council and the city treasurer had estimated a probable income, which was considerably in excess of the amount collected during the year 1903-04. This estimate was in direct violation of Military Order 112, 1902, which provides that the receipts shall be estimated on the basis of the collections made in the preceding fiscal year. The central government took the view that if receipts were calculated on the basis prescribed by law, the income of the city for the year 1904-05 would not be sufficient to meet these expenditures unless the amounts appropriated for other distinctively local services were seriously reduced. Inasmuch as this reduction would cripple the municipality in the performance of some of its most important services, the central government informed the municipal authorities of Havana that the three items above mentioned would have to be eliminated from the budget. The municipal authorities entered violent protest against what they regarded as an usurpation of local powers, but the central government has firmly held to the position which it has taken.

This instance, which is but one of a long series that have occurred since the establishment of the republic, illustrates the difficulties that would arise if, after four centuries of administrative supervision, all central control were to be abandoned. It is clear to every observer of Cuban conditions that if this control is now removed, many of the municipalities will gradually drift into bankruptcy, partly because of the inexperience of the local authorities, but mainly owing to the traditions inherited from Spanish times. These traditions lead the party in power to maintain its influence by expending as large a proportion of the revenue as possible in increasing the pay-rolls of city departments.

The successes, as well as the failures of the Cuban Government in the attempt to develop more vigorous local institutions, throw an interesting side-light on some of the fundamental problems of political science. The first and most important question presenting itself is whether the system of local government as organized in the United States requires for its successful operation a combination of qualities peculiar to Anglo-Saxon peoples, or is it a form readily adaptable to other races and nationalities? If our local institutions are fundamentally out of harmony with the political traits of the Latin-

American peoples, the movement to imitate the institutions of the United States, which is more or less marked throughout the Latin-American countries, is likely to be fraught with serious consequences. The history of France and Italy furnishes abundant illustration of the danger arising out of the lack of harmony between political form and political tradition.

What, then, are the qualities which we regard as necessary to the successful operation of a decentralized administrative system? A brief analysis will show that they are the result of certain forces in the history of the English people, which have developed an attitude towards government essentially different from that of the people of Continental Europe. In England, individual liberty was secured by the common people as the result of a struggle with the Crown, and it was only retained at the cost of constant watchfulness and alertness. In this struggle the minor judiciary and the lower administrative officials gave support to the popular cause. Thus the people became accustomed not only to regard their liberties as rights which they themselves had secured, but also as local administrative duties over which they must necessarily maintain close supervision. In this way they developed that familiarity with public matters which enabled the citizen to deal with the affairs of government as confidently as with his ordinary business affairs. The system was built on the principle that responsibility for the correction of abuses rested with the community.

The course of events in the Latin countries of Europe was essentially different. The struggle against special privilege was waged by the Crown against the nobility. The common people did not wrest individual rights from the Crown, but were *granted the privilege* of enjoying a certain measure of individual freedom.

This distinction expresses a difference in institutional development which has left a deep impress on national character. In England, and in the people that have inherited English traditions, there is a deeply-rooted conviction that local liberties have been the reward of a long struggle, and that the responsibility for their safeguarding rests with the community. Interference by any outside authority, especially if such authority be the executive branch of the government, is viewed with distrust and immediately arouses concerted opposition. This is the real basis of local self-government. It is true that the alertness to local liberties has been greatly weakened in



our larger cities, and in order to gauge its true strength we must study the attitude of the smaller communities. In New York, Philadelphia and Boston, local self-government has been undermined to such a degree that it is hardly more than a name. But this exceptional situation must not blind us to the fact that the principle of local self-government is still one of the dominant ideals of the vast majority of American communities, and that the traits of national character upon which this principle rests are still strongly marked.

The peoples of Latin-America have inherited totally different traditions from Spain. In the mother country the fact that the common people did not participate in the struggle for liberty has exerted a determining influence on the attitude of the population towards government. Individual rights were *granted* by the government instead of wrested from it, and are now construed as a gift from the central authorities upon whom the duty of protecting them rests. In fact, the people have greater fear of a tyrannical exercise of power by the local than by the central authorities. In the countries of Latin-Europe, as in the countries of Latin-America, we constantly find the people appealing to the state government for protection against alleged arbitrary action of local officials.

We are here face to face with a fundamental difference in the attitude towards government, which goes far to explain the inability of the Latin-American people successfully to operate a system of local government that is based on the principle of individual assertiveness and of political responsibility. No matter how explicit the constitutional or legal provisions intended to secure freedom from interference by the central government in local affairs, the tendency to look to the state authorities for guidance immediately shows itself. If the legal obstacles are such as to make it difficult to secure such guidance, local policy drifts and local services soon descend to a level of inefficiency which makes the interference of the central government necessary in order to protect the health and welfare of the state as a whole.

This necessity brings into sharp relief the danger involved in the attempt to transplant institutions which are out of harmony with the traditions and training of a people. It further illustrates the fact that however strong the desire to transplant the institutions of another country, unless such desire be in harmony with race tradition and training, the adoption of foreign forms will do little more

than furnish a new channel through which the settled traditions of the people will find expression. The history of local institutions in Cuba is significant because of the fact that in spite of all attempts at decentralization, Spanish administrative traditions are still dominant. This fact alone is fraught with a deep lesson. It points clearly to the truth that however strong the admiration of the Cuban people for American local institutions, it is unsafe to attempt to transplant them until the Cuban people have developed a different attitude towards government. Any attempt at such transplanting must prove ineffectual, because under the form so established the older Spanish tradition will soon assert itself.

The only fruitful line of development will be a gradual modification of local institutions with a view to fostering those qualities that have enabled the people of the United States to make local self-government the foundation stone of the American system. For a long time to come the Cuban Government must exercise a control over the municipalities which shall exact from them a certain minimum standard of efficiency. The consistent maintenance of such standards will in time develop a body of local public opinion which will prepare the way for administrative decentralization.

## COMMUNICATIONS

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### CITY GOVERNMENT IN JAPAN

By H. SAKUMA.

In order to understand the municipal organization of Japan it is necessary that the reader should appreciate the constitution of the electorate. The national law provides that the electorate for municipal government be limited to male subjects, householders twenty-five years of age, and of two years' residence, who pay local taxes as well as the land or some direct national tax of at least two yen and corporate bodies who pay taxes at least equal to the third highest sum paid by an individual member of the electoral body. All persons of unsound mind, those receiving public alms, bankrupts, those convicted of crime, and persons active in the military or naval service are disqualified from exercising the suffrage. The electorate is divided into three classes, each electing one-third of the candidates for office and thus holding one-third of the power. These classes consist of those members of the electoral body paying the first, second and final third parts of the taxes.

The government of cities is in the hands of a Mayor and a bi-cameral representative body consisting of aldermen, whose function is administrative, and councilmen who are the legislators upon local concerns. In addition the larger cities are divided into several administrative districts, each having a "meeting" and represented officially by the chief officers of the district appointed by the meeting or (as in the cities of Tokio, Osaka, and Kyoto) by the aldermen. In each district there are several electoral divisions from which representatives to the city council are chosen. Electors are required to vote in division of their residence or, if this be indeterminate, in that in which they pay the largest amount of taxes. Anyone entitled to vote may become a candidate for the council excepting those in the following positions: Officers of the local government, of the Prefecture or "Fu," within which the city is situated; salaried officers of the city government; public procurators and police officers; preachers and monks; and teachers in primary schools. Further precautions are taken to prevent a father and his son or brothers becoming members of the municipal government simultaneously. The term of councilmen is six years, one-half of the members being elected every three years. The size of the council is prescribed at thirty for cities of less than 50,000 population and thirty-six for cities of 100,000; in cities of over 100,000 and under 200,000 the number is increased by three for every



50,000 increase and every 100,000 increase respectively, but the maximum is set at sixty members. Changes in these numbers are allowed according to local conditions, providing they do not exceed the maximum limit set.

The national law on municipal government enumerates the following subjects for legislation: Promulgation and administration of city by-laws and regulations; municipal works to be supported by the municipality; the making of the annual budget; the assessment of urban taxation and other revenues for local purposes; and the management of municipal properties. Another function of the council is the recommendation of three candidates for the office of Mayor, one of whom is selected by the Minister of the Interior and then receives Imperial sanction and appointment. An adjutant alderman and chief officers of the district are also elected by this council. The meetings of the council are irregular, subject to the call of the chairman. The latter may be forced to call a meeting at the request of more than one-fourth of the council members or of the Mayor or the Board of Aldermen. The body may be adjourned at the will of the chairman. Though the members are unsalaried, citizens are required to accept election except under conditions specified in the law.

The Board of Aldermen is directly responsible for the city administration. It is composed of the Mayor, the Adjutants and other members elected from the council. The number of adjutants and other members varies from eight to fifteen, according to the size of the cities, but is in no case less than eight. The Mayor and the Adjutant are salaried and serve for six years. The qualifications of the candidate are far more liberal than for the other offices, the council having practically a free choice in his selection. The qualifications for the aldermen are the same as those for electors with the additional requisite that the candidate be at least thirty years of age. The Treasurer of the city government is appointed by the city council on recommendation of the aldermen. His appointment must, as in the case of the Adjutants, be confirmed by the Governor of the Fu. The salary and election of the Secretary and other minor officers, as well as their number, are left entirely to the board of aldermen. In short, this body is, as shown, a sub-division of the council acting with it in an advisory capacity and being in fact its executive committee. It recommends the legislation which is considered by the larger body and in certain cases, where the larger body does not conform to its desires, it may appeal for enforcement to the court of administrative litigation. A check is put upon its actions by the empowering of the Mayor on his own motion or by order of superior authorities to enjoin its deliberations or actions and bring them for review as to legality or propriety before the prefectural officers. The Mayor acts as chairman of the board of aldermen and all his acts are carried out in this capacity.

In conclusion it may be noted that the principle of the city acting as an agent of the general government, from which it cannot separate itself, is firmly established and, according to contemporary opinion, is in successful operation in Japan. This system, modeled upon Stein's plan for the re-organization of Prussian local government results in a centralized govern-

ment and yet when tempered with the spirit of home rule, as regards purely local affairs, gives to the city a measure of freedom in determining the details of local policy.

## THE RELATION OF LONDON TO QUASI-PUBLIC WORKS

By HON. G. GOMME, Clerk of the London County Council.

*Tramways.*—Although empowered (under certain conditions) to construct (but not work) tramways in London (exclusive of the City of London, the local authority for which, so far as tramways are concerned, is the City of London Corporation), the Council's predecessor, the Metropolitan Board of Works, and the Council itself in its early years, did not attempt to exercise these powers, but left the construction of tramways to private companies. These companies had to obtain their powers from Parliament, either by a special act or by means of a provisional order from the Board of Trade (subsequently confirmed by Parliament). A necessary condition to the obtaining of such powers was the consent of the Metropolitan Board of Works (now the Council), and also of the various local authorities (now the Metropolitan Borough Councils) having control of the roads, provided that the site of more than one-third of the total length of the tramway was within their jurisdiction. These conditions remain the same, and consequently the Council, or the various metropolitan borough councils concerned (subject to the above conditions), have an absolute veto upon the construction of a tramway, or can impose certain conditions as in return for their consent.

In accordance with the provisions of the Tramways Act, 1870, the Council is empowered to purchase any tramway undertaking in London twenty-one years after the date of its authorization or at any period of seven years subsequent to that time. The terms of purchase are (see Section 43): "the then value (exclusive of any allowance for past or future profits of the undertaking, or any compensation for compulsory sale, or other consideration whatsoever) of the tramway, and all lands, buildings, works, materials and plant of the promoters, suitable to and used by them for the purposes of their undertaking within such district." The Act also provides (Section 44) for the purchase by agreement of tramway undertakings before the expiration of the period of twenty-one years.

These powers have been generally exercised by the Council, with the result that out of 116 road-miles of line within the county, 99½ road-miles have been acquired or are in course of acquisition by the Council. The lines on the north side of the Thames have been leased by the Council to a private company for 14 years from midsummer, 1896. The terms of the lease are fully set out as a schedule to the North Metropolitan Tramways Act, 1897. On the other hand, the Council has decided itself to work those lines which it has acquired on the south side of the Thames, having obtained the necessary powers therefor by the London County Tramways Act, 1896.

Since the acquisition of the southern lines the Council has effected many improvements in their administration (revision of fares, all night services, conditions of service of employes, etc.), and, more particularly, is proceeding rapidly with the work of reconstructing the lines to admit of electrical traction. About 27 road-miles of line have now been reconstructed. It will be noticed that the lease of the northern lines contains provisions with reference to their reconstruction for electrical traction, and the Council has under consideration the expediency of taking proceedings with a view to carrying these into effect. As regards the construction of new lines, the Council, as a matter of practice, usually withholds its consent to such construction by private companies, and, when it considers that a new line is required, it applies to Parliament for powers itself to construct it. As mentioned above, it is necessary for the granting of such powers that the consent of the metropolitan borough councils through whose districts at least two-thirds of the proposed line is to pass should be obtained.

The Council is, as an experiment, engaged in the construction of a subway, to be utilized for a shallow underground tramway, from the terminus of its northern tramways in Theobald's road under the new street (Kingsway and Aldwych) to the Strand. The Council's powers admit of the construction of the subway as far south as the Victoria embankment, but its powers with regard to the tramway only admit of the latter being constructed as far as the Strand.

*River Service.*—In connection with the question of locomotion, the Council has in the last session of Parliament obtained powers to establish a steamboat service on the Thames.

*Gas Supply.*—The supply of gas in London is in the hands of private companies. Formerly there were many of these, but by a process of amalgamation the number has been much reduced. At the present time London is mainly supplied by three companies, viz.: (a) The Gas Light and Coke Company, (b) The South Metropolitan Gas Company, (c) The Commercial Gas Company. While, however, there are parts of London not supplied by any of these companies, on the other hand, each of the companies supplies districts beyond the area of the County of London. There are four other companies, supplying comparatively small portions of London. The powers under which all these companies carry on their business are derived, not only from the terms of franchises granted by the local authority, but from the provisions of a number of Acts of Parliament. Under these Acts the companies practically have privileges in perpetuity, and there is not, as is the case in tramways, any power of purchase by the local authority provided therein. The Council has, however, certain powers of control over the three principal companies, more especially as regards testing the quality of the gas supplied and the accuracy of the meters used.

It may be of interest to know that in accordance with the provisions of certain Acts of Parliament the dividends payable by the three principal companies are regulated by a sliding scale, by which an increase in the rate of dividend can only be procured by a decrease in the price of gas. The following expresses the scales in tabular form:—



COMPANY.	Date of coming into force of present sale.	Standard candle power.	Standard price per 1000 cubic feet.	Standard rate of dividend per cent per annum.	Addition to dividend allowed or reduction of dividend required for each 1d. reduction or increase in price.
Gas Light and Coke..	Jan. 1, 1899	16	3s. 9d.	4	1-10%
South Metropolitan ..	July 1, 1901	14	3s. 1d.	4	2-15%
Commercial .....	Jan. 1, 1903	14	3s. 3d.	3½	1-6%

*Electricity Supply.*—Electricity supply in the County of London is in the hands, partly of private companies, partly of local authorities (the metropolitan borough councils).

*Water Supply.*—Till within the last few months London and the surrounding districts were supplied with water by eight companies. In accordance with the provisions of the Metropolis Water Act, 1902, however, the administration of the water supply of London and the surrounding districts was transferred as from June 24, 1904, from the companies to a public body, known as the Metropolitan Water Board. The Board is an indirectly elected body, consisting of 66 members, appointed as follows:

	Members.
By the London City Council.....	14
By the City of London Corporation and the Metropolitan Borough Councils .....	31
By the Councils of counties adjoining London.....	5
By the Borough and District Councils outside London.....	14
By the Conservators of the Rivers Thames and Lea .....	2
	—
	66

The actual area supplied by the Board amounts to about 552 square miles, representing a population (1901) of about 6,180,000 (area of the County of London, 117 square miles; population (1901), 4,536,541).

## RECENT AMENDMENTS TO ELECTION AND PRIMARY LAWS

By ROBERT H. WHITTEN, PH.D., STATE LIBRARY, ALBANY, N. Y.

As the legislatures of but thirteen states met in regular session last year the volume of legislation was comparatively small, and with the exception of the direct nominations laws in Wisconsin and Oregon the legislation enacted was quite unimportant.

*Registration.*—A Kentucky act ('04, ch. 6) provides that in cities in which registration is required the officers of registration shall issue a certificate of registration to each voter, which must be presented to the election officers before the elector is permitted to vote. Provision is made for issuing a duplicate certificate when the original has been lost or destroyed.

*Election Day.*—By constitutional amendment ('04, p. 207) Iowa has substituted biennial for annual state elections. Ohio ('04, p. 37 and p. 640) provides that all judicial and other public officials previously elected in April are hereafter to be elected in November, and a constitutional amendment will be submitted to the people in November, 1903, providing that elections of all state and county officers shall be held on the Tuesday after the first Monday in November in even years, and that elections of all other elective officers shall be held on the same day in odd years.

*Voting.*—Kentucky was the last state to abandon vive voce voting, the constitution of that state having prescribed that method of voting up to the adoption of the revision of 1891. The people of the state are evidently not entirely satisfied with the substitution of the secret vote for vive voce voting, as the legislature has submitted to the people in November, 1905, a constitutional amendment ('04, ch. 30) providing for a return to the old system.

*Corrupt Practices.*—South Carolina ('04, ch. 231) has made it unlawful to treat any voter to malt or intoxicating liquor within one mile of the polls at any primary or general election. Ohio, in an Act ('04, p. 107) prohibiting bribery at primary elections and nominating conventions, provides that in any prosecution brought under the Act, any person called upon to testify may not be excused from testifying on the ground that he will incriminate himself, but shall forever be exempt from any prosecution for the acts concerning which he has testified.

*Direct Nominations.*—The past year has witnessed the adoption by the people of general direct nomination laws in two states—Wisconsin and Oregon. The Wisconsin law was adopted by the legislature in 1903, but submitted to the people in November, 1904. The main provisions of this law were brought out in the March number of THE ANNALS of last year, in the article on "Political and Municipal Legislation." The Oregon act was proposed by initiative petition, submitted to the people, and adopted without recourse in any way to the legislature. The initiative petition was filed in the office of the Secretary of State, February 5, 1904, and the bill was submitted to the people at the regular election on June 6, 1904. It was adopted by a vote of 56,205 to 16,354. The act provides for direct nominations of all officers to be voted for (state, county, and municipal) with the exception of school elections and municipal offices in towns and cities of less than 2000 population. Provision is also made for the nomination of party candidates for the United States Senate and for the election of county committeemen. Primaries of all parties are held on the same day, at the same place, and in charge of the regular election officers. Official tickets are provided, there being a separate ticket for each party. Provision is made for party enrollment at the time of registration. The enrollment is public, and the form of oath prescribed contains the words "and that you are in good faith a member of the political party with which you are registered." The voter receives only the ballot of the party with which he is registered. A party committeeman is elected for each precinct, and the precinct committeemen make up the city and county central committees.

## THE JUDICIAL OFFICE IN GERMANY

BY BURT ESTES HOWARD.

The judicial institutions of Germany are based upon imperial law: the *Gerichtsverfassungs-Gesetz* of January 27, 1877, with the revision of May 20, 1898. This legislation provides for four regular courts: the *Reichsgericht*, which is the sole imperial court, the *Oberlandsgerichte*, the *Landsgerichte* and the *Amtsgerichte*. All judges in these courts are appointed and certain qualifications are demanded, by law, of those who would exercise the functions of the judicial office.<sup>1</sup>

In fixing by imperial legislation the requirements for eligibility to a judgeship, instead of leaving the matter to the determination of each several state, the Commission of Justice for the Reichstag simply carried to a logical conclusion certain ordinances already placed upon the statute-book. A uniform procedure, both civil and criminal, had been provided for the whole empire, in the *Civilprozessordnung* of January 30, 1877, with the amendments of May 17, 1895, and in the *Strafprozessordnung* of February 1, 1877. The Commission therefore argued that the law regulating the judicial institutions of the Empire, while it made no attempt at a complete organization, but sought rather to lay down the principles necessary to a harmonious operation of the laws of procedure, could not well dispense with general provisions touching the professional training and position of the persons in whose hands were to be placed, to a pre-eminent degree, the administration and application of those laws of procedure. The Report of the Sixth Commission of the Reichstag, 1898, says: "Agreeing with the views expressed by the various speakers in the general debate of the Reichstag, the Commission has wellnigh unanimously held it to be a logical necessity arising out of the ordinances establishing the civil and criminal procedure, to lay down, under the title 'The Judicial Office,' at least the minimal requirements for eligibility to the office of judge in the German Empire, and to prescribe those indispensable guarantees of judicial independence, which no German judge may ever be without. Sections 1-11 (of the *Gerichtsverfassungs-Gesetz*) adopted by the commission, make no attack on the judicial sovereignty of the individual states; at any rate, they go no farther in the organization of the judiciary than the ordinances regulating procedure require. They attach themselves to legal principles that have existed in Germany from old time, and they are essentially borrowed from the prevailing law of the greatest German state. . . . If imperial legislation is called upon to map out for the judge the civil and criminal

<sup>1</sup>For literature on the subject of the judicial office in Germany, see *Jahrbuch der Preussischen Gerichtsverfassung*, 24 Jahrg. 1900, § 7, 10 28 ff. The best discussion from the standpoint of constitutional law is found in *Laband*, *Staatsrecht des Deutschen Reichs*, 4 Ed., 1901, III., 335 ff. See also *von Rönne*, *Staatsrecht des Deutschen Reichs*, 2 Ed., II., 0 ff. *Zorn*, *Staatsr. d. D. Reichs*, II., 365 ff; *Schulze* *Deutsches Staatsr.*, § 199; *Hädel*, *Deutsches Staatsr.*, I., 711 ff; *von Rönne-Zorn*. *Staatsr. d. Preuss. Mon.* 5 Ed., I. § 12, III., A, § 43. Also *Rintelen*, *Gerichtshof und Justizverwaltung* 2 Ed., 1889; *Müller*, *Preuss. Justizverwaltung*, 5 Edin., 1901; *Pfafferoth*, *Jahrb. d. D. Gerichtsverfassung*, 7 Jahrg., 1898.



procedure which he must follow, and to define the judicial authority, it cannot possibly leave the several states free to settle, perhaps in ways wholly variant, the question of the preparatory training of the judge, and his place in the life of the state over against the governments and the people."<sup>2</sup>

In the *Gerichtsverfassungs-Gesetz*, therefore, imperial legislation has fixed the *minimum* of requirement for exercising the functions of a learned judge. The law, in other words, has drawn the line below which the qualifications of that person may not fall, who would be eligible to the judicial office in any one of the regular courts in Germany. According to the provisions of this law the German judge reaches the bench only after passing two rigid examinations.<sup>3</sup> The first examination must be preceded by a three years' study of law in a university, out of which period three semesters at least must have been devoted to legal study in a German institution. The *Gerichtsverfassungs-Gesetz* does not prescribe the conditions of the examination nor stipulate the particular subject upon which the candidate is to be tested. These matters are left to the legislation of each individual state.<sup>4</sup>

Between the first and second examinations at least three years must intervene. This period is to be spent in service at court, with an attorney, and, if so desired, with the Public Solicitor. Such service is not optional with the candidate. It is compulsory. It will be at once apparent that an embarrassing situation might arise for an ambitious young "jurist," who, however zealous he might be, could find no attorney disposed to set him at work. This point was brought up by representatives of the Bundesrat in the debate over the draft of the proposed *Gerichtsverfassungs-Gesetz*. These gentlemen declared that the provisions of the law could not be carried out with any degree of certainty owing to the fact that there was no compulsory legislation attached, which would force the attorney to take the embryo lawyer as his assistant. It was proposed, therefore, by the representatives of the Bundesrat that service with an attorney should not be required of the candidate, but should be optional. This proposition was rejected by both the *Reichstagskommission* and the Reichstag. The awkwardness of the situation has been relieved, however, by incorporating

<sup>2</sup> Bericht der 66. Kommission d. Reichstags (Drucks. d. Reichstags, 9. Leg. Per. 5. Sess. Nr. 240).

<sup>3</sup> GvG. § 2, cl. 1. Attorneys must also pass these examinations before they are admitted to practice. Of course the passing of the examinations determines merely the question of eligibility. It creates no claim to the office of judge as of right.

<sup>4</sup> In Prussia the law provides that the first examination shall take place before a commission of the Oberlandesgericht in Königsberg, Berlin, Stettin, Breslau, Naumburg, Kiel, Celle, Cassel or Cöln. The subject matter covers both public and private law, as well as the general principles of Political Science. The examination also aims to test the positive knowledge of the applicant, his insight into the nature and historical development of legal relations as well as to determine whether the candidate, on the whole, possesses that general legal and political training requisite in his future profession. In Prussia, one who has passed the first examination, is appointed "Referendar" by the President of the Oberlandesgericht in whose district he is to be employed, and, since his position is now an official one, the oath is administered. One who has passed the second examination is known as an "Assessor." On the training of the Referendar see *Daubenspeck*, *Der juristische Vorbereitungsdienst in Preussen*, Berlin, 1900.

into the law regulating matters pertaining to attorneys—the *Rechtsanwaltsordnung* of July 1, 1878—a section which declares that an attorney is bound to furnish opportunity for practical work, as well as guidance, to the “jurists” who are engaged in their preparatory service.<sup>5</sup>

It has been remarked that the *Gerichtsverfassungs-Gesetz* determines only the *minimal* requirements for eligibility to the judicial office. While no state, by its legislation, may demand of its candidates less than the law of the Empire lays down as the minimum, any state may demand more, and as much more as it pleases. Each state may increase the length of time to be spent in university study prior to the first examination, or the period to be passed in service preparatory to the second.<sup>6</sup> Prussia, for example, requires an intervening period of *four* years between the first examination and the second, this time to be spent in service connected with the courts, with an attorney and with the Attorney of the State. The work of the Referendar is to be so distributed that he shall gain an insight into the operation of all branches of judicial activity, and such a practical facility therein as may be requisite for the independent and efficient administration of the office to which he is looking forward.<sup>7</sup>

The time devoted to preparation in one state of the Empire may be counted in every other state, whether it be spent in university study looking toward the first examination or in service with a view to the second examination. Further, he who has passed the first examination in one state may be admitted in every other state to the intermediate service in anticipation of the second examination and, when that service is fulfilled to the examination itself.<sup>8</sup> There is no compulsion, however, upon one state to give credit for the period of service or study spent in another. The wording of the law is “may,” not “shall.” The *Gerichtsverfassungs-Gesetz* merely empowers the Administration of Justice in any state to admit the validity and sufficiency of the work done, and examinations held in other states. As a matter of fact, several states make the passing of the examinations within their own territory an absolute condition of the assumption of the judicial office. A proposition to the effect that there should be compulsory reciprocity between the states in this respect was rejected by the Commission of the Reichstag on the ground that, owing to the lack of a uniform law regu-

<sup>5</sup> *Rechtsanwaltsordnung*, § 40. See comments on this ordinance by Sydow, 4 Ed., Berlin, 1900. See also Völk, *Die Rechtsanwaltsord. für d. D. Reich*. Nördlingen, 1878.

<sup>6</sup> But no state may require a greater number of examinations than two. Struckmann & Koch, *Komm. z. Civilproz.-Ord.* II., 479, note 7.

<sup>7</sup> The employment of the Referendar in Prussia is as follows: 9 months service with an *Amtsgericht* having not more than 3 judges, 1 year in the *Landgericht*, 4 months with the Attorney for the State, 6 months with a lawyer and notary, 9 months in an *Amtsgericht* and 6 months in an *Oberlandesgericht*. Referendare who, by their conduct, prove themselves unworthy, or who do not make proper progress in their training, may be dismissed from service by the minister, without further procedure, after the chairman of the Board of Provincial Service has been heard. See § 84, Law of 21 July, 1852 (G. S. 465).

<sup>8</sup> *GvG*, § 3. Attempts toward securing a uniform system of examinations in all the states, made in the Reichstag of 21 May, 1878, (see *Sten. Ber.*, 1476), and in the commission appointed to draft the new *GvG*. (see *Kom. Ber. d. RTK.* von 1898, 2 ff.) were without result. See also Schmidt, *Lehrb.* § 39.



lating the whole subject of examinations, there could be no adequate guarantee that the examinations required by the different states would be of equal value. Accordingly, the recognition by one state of the examinations held in another, and the estimate to be put upon the preparatory service performed there, lie wholly within the discretion of the State Administration of Justice.\*

Every regular public teacher of law in a German university is eligible to the judicial office.<sup>10</sup> In other words, the installation of a man as full professor of law in a German university is regarded as equivalent to the required preparation and examination.<sup>11</sup> Moreover, "whoever has acquired eligibility to the judicial office in one of the states is also eligible to every judicial office within the German Empire, so far as the law (*i. e.*, the imperial *Gerichtsverfassungs-Gesetz*) makes no exception."<sup>12</sup> An important doctrine is here laid down. In some of the states, notably Prussia,<sup>13</sup> promotion to the higher positions on the bench was made contingent on certain conditions: a specified length of service in the lower courts, the attainment of a certain age, the passing of special examinations, etc. All state laws of this nature are wiped out by the imperial legislation which declares that a man eligible in one state to the judicial office is eligible to every judicial office within the German Empire. The *Gerichtsverfassungs-Gesetz* has made a single exception. In addition to his having attained eligibility to the judicial office in one of the states a judge of the *Reichsgericht* must have completed the 35th year of his age.<sup>14</sup>

Two general principles are laid down by law for the avowed purpose of securing the independence of the judiciary: (1) the judicial power shall be exercised only by *courts*, and (2) these courts shall be subject only to the law.<sup>15</sup> As to the significance of these clauses in the law, the *Motiven* say:—<sup>16</sup>

"The assignment of the jurisdiction to courts, by imperial legislation, has, over against the existing rights of the individual states, a negative significance in two directions: First, the meager traces, still existing in Germany, of the customary influence of the *Landesherr* upon the course and decision of suits at law, are wholly extinguished, and, in the second

\* See *Struckmann & Koch* 480, notes 2 and 3 to § 3 GvG.

<sup>10</sup> GvG. § 4. Compare also § 138 *Strafprozessordnung*.

<sup>11</sup> "Ausserordentliche Professoren" and "Privatdozenten" do not come within the provisions of the law.

<sup>12</sup> GvG. § 5. There is no contradiction here to what has been discussed in the text with reference to crediting work done in another state. While no state is compelled to *declare* a man eligible on the basis of work done *elsewhere*, yet when one state has pronounced a man eligible no other state can question its action.

<sup>13</sup> Law of 12 Mar., 1869 (Preuss. Gesetzssamml. 482) §§ 2, 3 and 5.

<sup>14</sup> GvG. § 127, cl. 2.

<sup>15</sup> GvG. § 1. See Protokolls der Justizkommission d. D. Reichstags, Berlin, 1876, 73-76; Kom. Ber. 7-9; Sten. Ber., 2 Leg. Per., 2 Sess. 1874-75, 275 ff. Also *Wach, Handb.* d. D. Civilprozessordnung, I, 309 H.; *Schmidt, Lehrb.* d. D. CPO. § 25; *Bunsen, Lehrb.* d. D. CPO. § 2.

<sup>16</sup> Begründung des Entwurfs III, (Drucks. d. Reichstags, 2 Leg. Per., 2 Sess. 1874-75 zu No. 6).



place, the administration of justice is fundamentally separated from administration in general.

(1) That judicial supremacy, by force of which state power has to establish and maintain legal order within its territory and administer legal authority, appertains to the several states themselves. The new legislation (referring to the *Gerichtsverfassungs-Gesetz* then being debated) would make no breach in this judicial supremacy so far as exercise of rights on the part of the individual state is concerned. After the passage of this law, as before it, the judicial power is to be referred back, for its source, to the supreme authority of the state. The state courts must operate as deputed by, and under the authority of, the ruler of the state. But every active personal interference of the sovereign in the administration of justice, all "cabinet justice"—which Political Science has long regarded as unpermissible and which, in fact, has been actually done away with in almost the whole of Germany—is excluded by the declaration that the ordinary jurisdiction is exercised by courts, and by courts alone. . . .

(2) In more recent times it has been a generally recognized principle that the judicial office, whose duty is the administration of law and equity, and which, from its very nature can have no authority above it other than that of the law, should not be administered by officials who, at the same time are called upon to exercise that kind of rule over the citizens of the state which must have regard for considerations of governmental policy, and who cannot be guaranteed, in like measure, that security of position through unremovability from office, which is desired in a judicial official."<sup>17</sup>

Two or three provisions of the *Gerichtsverfassungs-Gesetz* are intended to secure the *personal* independence of the judiciary. In the first place, the judges are appointed for life.<sup>18</sup> With respect to the members of the *Reichsgericht*—the only one of the regular courts which is purely *imperial*—the appointments are made by the Kaiser on nomination of the *Bundesrath*.<sup>19</sup> The matter of the appointment of the judges of the other courts, as well as the determination of the mode of installation, is left to the constitutional law of the several states.<sup>20</sup> Moreover, the judges receive a fixed salary, that is to say, a permanent, irrevocable salary, which cannot be subjected to arbitrary withdrawal or diminution. The receiving of fees is absolutely barred.<sup>21</sup> If, however, the judge is permitted to hold another office at the same time, in addition to the judgeship, the receiving of some form of remuneration other than that of the fixed salary attached to the judicial office is not excluded. Whether, and to what extent, a judge may assume such a "Nebenamt" is, with respect to the members of all courts other than the *Reichsgericht*, a matter for the state legislation to decide. So far as the judges of the

<sup>17</sup> Compare *von Rönne* op. cit. 15; *von Rönne-Zorn*. op. cit. § 12, III. A, § 43, I. 1; *Zorn*. op. cit. 412.

<sup>18</sup> *GvG*. § 6.

<sup>19</sup> *GvG*. § 127, cl. 1.

<sup>20</sup> In Prussia and Bavaria, *e. g.* it is provided by the *Ausführung-Gesetz z. GvG.*, that all judges shall be appointed by the King.

<sup>21</sup> *GvG*. § 7.

*Reichsgericht* are concerned, the matter is settled by the *Reichsbeamten-Gesetz* of March 31, 1873, section 16: "No imperial official shall, without the previous consent of the highest imperial authority, assume an additional office or additional employment to which a continuous remuneration is attached, or carry on a business. The same consent is required for the entry of an imperial official into the directorate, or into the administration or supervisory council of any company operated for gain. Such consent will not be granted, however, insofar as the position is directly or indirectly bound up with a reward. A concession once granted may be revoked at any time."<sup>22</sup>

Perhaps the strongest guarantee for the personal independence of the judiciary is found in that section of the law which declares that "no judge shall, against his will, be permanently or temporarily removed from office, transferred to another place or retired except by judicial decision and on grounds and according to forms prescribed by law."<sup>23</sup> If the State Administration of Justice, however, changes the organization of the courts, or defines anew the districts of the same, it may also provide for such involuntary transfers as the reorganization necessitates, or even for involuntary removals under grant of full salary.<sup>24</sup>

The conditions of the law requiring that removals, transfers or retirements shall be made only by judicial decision, on legal grounds and according to legal forms, are not met when such action is based on ordinances of the Ruler, or on decrees of the State Administration of Justice. There must be actual legislation, imperial or state, behind the transaction. On the other hand, it is apparent that such a matter should not be left exclusively to the discretion or good pleasure of the judiciary. Hence in those states where no law on the subject exists, the judiciary cannot take the matter into its own hands. It would seem that state legislation must step in.<sup>25</sup> This section of the *Gerichtsverfassungs-Gesetz* covers cases of removal as a disciplinary measure (*Enthebung*), as well as mere removals with no disciplinary

<sup>22</sup> *Reichsbeamten-Gesetz*, § 16 (RG Bl. 61). See *Gesetzsammlung für d. D. Reich*, 4 Aufl. I. 342. Compare for Prussia, *Kab. Ord.* 13 July, 1839 (G. S. 235); Law of 30 Apr. 1856 (GS., 207); A. G. z. GvG. 24 Apr. 1871, § 11; *Gewerbe-Ord.*, 17 Jan. 1845 (G. S. 41) § 10; *Verord für d. neuen Landesteile*, 23 Sept. 1867 (G. S. 1610); *Reichsgew.-Ord.* of 26 July, 1900 (RG. Bl. 871) § 12 cl. 2; Law of 10 June 1874 (G. S. 244); *Turnau*, op. cit. I. 42 ff.; *von Rönne-Zorn*, op. cit. § 43, II.

<sup>23</sup> GvG. § 8 cl. 1. This § is drawn in imitation of Art. 87, cl. 2 and 3 of the *Preuss. Verf.* Urkunden, and contains the principles which the German jurists designate as the "*Unabsetzbarkeit*" and "*Unversetzbarkeit*" of the judiciary.

<sup>24</sup> GvG. § 8 cl. 2. On motion of the chairman of the Reichstags-Kommission of 1875, it was expressly declared that those provisions in the laws of the several states whereby a judge on reaching a certain age may be pensioned on full or partial salary, should remain undisturbed.

<sup>25</sup> This is the view of *Struckmann & Koch*, note 5 to § 8 GvG. *Laband*, however, III. 454, note 5 says: "So lange in einem Bundesstaat ein solches Gesetz nicht erlassen ist, bleibt die Geltung des § 8 suspendiert." Section 13, *Einführung-Gesetz*, GvG. says: "Die Bestimmungen über das Richteramt im § 8 des GvG. treten in denjenigen Staaten, in welchen Vorschriften für die richterliche Entscheidung über die Enthebung eines Richters vom Amte oder über die Versetzung eines Richters an eine andere Stelle oder in Ruhestand nicht bestehen, nur gleichzeitig mit der landgesetzlichen Regelung der Disziplinarverhältnisse der Richter in Wirksamkeit." This § owes its existence to the RTK of 1875 and was occasioned by the arrangements in some German states, especially Bayern, where no regular disciplinary process before judicial authorities exists.



character (*Entfernung*). The arbitrary ousting of a judge from his office by an Administrative authority on the vague ground that "the interests of the service" require it—which, as Laband observes, means "according to the pleasure of the Administrative Board," is made impossible. No mere considerations of policy can be set up as a justification for such a removal or retirement. While any change may be made with the consent of the judge, none can be made against it, save by orderly judicial process, based on law and not on ordinance.<sup>26</sup>

The judges are protected, therefore, from the arbitrary action of the State Administration of Justice, and, in all cases of disciplinary prosecution, have a claim to a legal hearing and to a judicial decision. No norm is laid down by imperial legislation, however, with respect to the infliction of disciplinary penalties, nor is there any uniform regulation of the disciplinary law touching judicial officers. Not even the most general principles are laid down by imperial legislation determining the grounds on which suspension, removal or dismissal may be permissible, establishing the rules of disciplinary procedure or fixing the constitution and composition of the disciplinary Boards. In all these matters the autonomy of the several states is practically unrestricted, being bound only by the formal limitation that action shall follow the way of legislation, not that of mere arbitrary decree or ordinance.<sup>27</sup>

The members of the *Reichsgericht* occupy a different position from that held by the other judges, so far as their relation to the disciplinary laws of the states is concerned. A temporary suspension from office takes place, according to law, when a member of the *Reichsgericht* is arrested pending investigation, and continues during the period of such detention. Moreover, a member may be temporarily suspended from office by the full bench of the *Reichsgericht*, after hearing the Attorney for the Empire, if trial has been begun against such member on a criminal charge.<sup>28</sup> The removal of a member, together with loss of salary, may be effected by a pronouncement of the full bench of the *Reichsgericht*, the Attorney for the Empire having been heard, if such member has been sentenced to punishment for a disgraceful act, or to imprisonment for more than a year.<sup>29</sup> If a member of the *Reichsgericht*, because of bodily infirmity or weakness of physical or mental power, becomes permanently incapacitated for office, but nevertheless does not apply for a retirement, nor, though requested to do so, sees fit to comply within a specified period, such member may, after both he and the Attorney for the Empire have had a hearing, be retired by the action of the full bench of the *Reichsgericht*.<sup>30</sup>

<sup>26</sup> The only exception to this rule has already been mentioned in a preceding paragraph.

<sup>27</sup> See Laband, III, 454 ff.

<sup>28</sup> GvG, § 129. That is, if the member is charged with a crime or misdemeanor, not merely with a trespass. Such a temporary suspension does not involve loss of salary.

<sup>29</sup> GvG, § 128.

<sup>30</sup> GvG, §§ 130, 131. In case of retirement, the member receives a certain portion of his salary as yearly pension. This pension, up to the completion of the tenth year of service, amounts to 20-60 of his salary, and increases at the rate of 1-60 each succeeding year up to the completion of the fiftieth year of service. The period of service is reckoned from the day on which he entered the public service, whether of the Empire, of a state or commune, or, in the state, as attorney.



## BOOK DEPARTMENT

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### NOTES.

**Boutmy, Emile.** *The English People*, translated from the French by E. English. Introduction by John Edward Courtenay Bodley. Pp. xxxix, 332. New York: G. P. Putnam's Sons, 1904.

This work is divided into five distinct parts: (1) the national type, (2) The human environment, (3) The Englishman—moral and social, (4) The Englishman as a Politician, (5) The Individual and the State. At the very outset the author sounds the keynote of his book in pointing out the disdain of the English people for abstractions and their love of fact. He pictures the English acting solely for the sake of action independently of result, and as idealizing the personal object. Their besetting sin he sees in their inability to generalize. In these elements the author finds reasons for the success of the race in implanting its civilization upon foreign peoples. While primarily a psychological analysis of the English people, at the same time the author gives a considerable insight into French character. On almost every page the volatile temperament of the Frenchman is contrasted with his more phlegmatic neighbor across the channel. Mr. Boutmy has shown in a manner most admirable those distinctive elements which characterize the conduct of the Anglo-Saxon, but he sees the whole life of his subjects through a French glass, and not infrequently there are consequent distortions. He has, however, performed a valuable service in pointing out to Englishmen how others see them, thus bringing out many features of national life which have hitherto escaped notice. While there is too much of generalization, which detracts greatly from the scientific value, the book is full of interest, and possesses an easy, flowing style which will commend it to the majority of readers.

**Buchanan, Joseph R.** *The Story of a Labor Agitator*. Pp. xi, 461. Price, \$1.25. New York: The Outlook Company, 1903.

The serial publication of this autobiography in *The Outlook* attracted much attention, and its appearance in book form will be welcomed. In the development of the labor movement in this country the author has borne an important part, and students will be gratified for the account he gives of various phases of its growth. It is a story of failure, as well as success, so far as material ends are concerned, but no one can avoid the conviction that the character development indicated is of the highest type. The account is simple and dignified, and is to be especially commended to those whose acquaintance with labor agitation is confined to newspaper reports of the doings and sayings of those who are the worst enemies of the cause they profess.

**Budde, E.** *Energie und Recht. Eine physikalisch-juristische Studie.* Pp. vii, 96. Price, 1.60 M. Berlin: Carl Heymann's Verlag.

Dr. Budde's essay on "Energy and Jurisprudence," which he characterizes as a physico-legal study, was prompted by the recent discussion concerning the corporeality of electricity and the application of the theft concept to electricity in its industrial applications. Our own state of Connecticut has recently solved this question to its own satisfaction by passing a law on the "stealing of electricity." The consensus of opinion among modern naturalists is to regard all material values as intimately bound up with energy of one kind or another; and as the modern theory of energy is not familiar to the average jurist, Dr. Budde undertakes to enlighten him in this respect. His essay is, however, of interest to the economist as a clear and concise summary of the various industrial applications of natural energy.

**Bureau of American Ethnology.** Twenty-first Annual Report. Pp. xl, 360. Twenty-second Annual Report, Part I. Pp. xlv, 320. Washington: The Government Printing Office, 1904.

In the Twenty-first Report are two important papers: one by Jesse Walter Fewkes, on "Hopi Katcinas," a description of some supernatural beings honored by the Hopi Indians. Mr. Fewkes was successful in getting paintings of these Katcinas, made by native artists, and these are reproduced in color.

Mr. J. N. B. Hewett contributes a valuable paper on Iroquoian Cosmology, giving, besides a free translation, an interlinear English and Indian text, and presenting the versions current among the Mohawk, Seneca, and Onondaga tribes. A few portraits of leading Iroquois are also included.

In the Twenty-second Report Mr. Fewkes presents a full account of two summers' work (1896-97) among the Pueblo ruins. One hundred and eighty-six illustrations accompany the text, giving general views of the ruins and also of objects found. Many of the pottery illustrations are in color, and indicate no mean artistic development. The second paper, by Mr. Cyrus Thomas, describes the Mayan Calendar Systems, and is supplementary to his paper in volume xix.

**Cambridge Modern History.** Vol. III. *The Wars of Religion.* Planned by the late Lord Acton. Edited by A. W. Ward, G. W. Prothero, and Stanley Leathes. Pp. xvii, 914. Price, \$4.00. New York: The Macmillan Company, 1905.

Reserved for later notice.

**Carver, T. N.** *The Distribution of Wealth.* Pp. xvi, 290. Price, \$1.50. New York: Macmillan Company, 1904.

See "Book Reviews."

**Cathrein, Victor, S. J.** *Socialism: Its Theoretical Basis and Practical Application.* Pp. 424. Price, \$1.50. New York: Benziger Brothers, 1904.

Father Cathrein's book on socialism has been widely and favorably known since its appearance in 1890. Two American editions have been published. Recently, however, the volume has been entirely rewritten and much en-

larged. Victor F. Gettelmann, S. J., has done a notable service in the present translation of the eighth German edition, to which he has added a brief discussion of socialism in the United States, which is brought down to May of 1904. The author is not friendly to socialism, which he holds "a utopian dream," whose introduction could not benefit the middle classes. The author says of socialistic writings: "Not once have we come across a passage exhorting the workingmen to sobriety, patience, laboriousness, thrift, contentment, etc." Hatred and fury will bring their fitting end. Yet, although hostile to socialism, Catholics by no means disbelieve in social reform. The needed thing to-day is a revival of Christianity among all classes. Marx and the other leaders, with their doctrines, are carefully presented and keenly discussed, and the history of the movement in various lands given. The volume deserves careful attention. It is published under the *imprimatur* of the archbishop of New York.

**Candelier, Emile.** *L'Evolution économique du XIX siècle.* Angleterre, Belgique, France, Etats-Unis. Pp. 246. Paris and Bruxelles: Giard & Brière.

In this volume the industrial development of England, France, Belgium, and the United States is discussed. The author considers the effect of this development on the welfare of the laboring classes, and concludes that, although the "economic revolution" at first entailed great suffering for these classes without any improvement in their material condition, the ultimate outcome has been decidedly to their advantage. In the "chaotic period" of modern industrialism, from 1820 to 1850, the workers lived miserably, and their condition found vent in the Communistic Manifesto of 1847. But in the second half of the century the condition of the laborer, especially in larger industrial establishments, has been very materially improved. "Wages have increased, while the cost of the necessities of life has decreased." The author states it as his purpose to "indicate the principal evidences of this favorable change, and its underlying causes." It is due, he concludes, to large-scale production and the extraordinary improvement of methods of transportation. Civilization, the author further declares, is measured by abundance of products, hours of labor, and the rate of wages. In all these respects there has been, in his opinion, so pronounced and incontestable an improvement during the last half-century that there is no *raison d'être* for revolutionary socialism.

**Davies, J. Hewelyn (Ed).** *The Working Men's College.* Pp. x, 296. Price, \$1.25. London and New York: Macmillan, 1904.

There are few more interesting institutions of learning than the Working Men's College of London, and this account by a former member of the college will be welcomed. The chapters are reminiscent, and we learn more of the personality of Maurice, Hughes, Kingsley, and others than of the balance sheets of the institution. Good portraits of the different founders and leaders are given. It is fitting that just at this time, when the college leaves its old quarters for a better home in St. Pancras, that this account of its fifty years' history should be written.



**Dawson, Thomas C.** *South American Republics*. Two volumes. Vol. I, pp. xvi, 525; Vol. II, pp. xiv, 513. Price, \$1.35 a volume. New York: G. P. Putnam's Sons.

One of the most important gaps in the literature of political science is gradually being filled. Within the last eight months two histories of South American Republics have appeared. Both are descriptive, rather than analytical, and both present an excellent summary of the events leading up to the independence of the South American Republics. The first volume of Mr. Dawson's work, dealing with Argentina, Paraguay, Uruguay, and Brazil, was written during the period when he was secretary of the United States Legation to Brazil. During the interval between the appearance of the first and second volumes the author was appointed Minister to Santo Domingo. This second volume deals with Peru, Chile, Bolivia, Ecuador, Venezuela.

Although little attempt is made to explain the political incapacity of the people, sufficient material is presented on their racial and economic condition to explain the lack of stability of political institutions. The author has shown great skill in the presentation of the economic situation in compressing the history of eleven republics into two small volumes. It was necessary to select those phases of economic growth which would illustrate the relative advance or stagnation of the countries with which he had to deal. In the presentation of the political situation the author has been careful to keep himself free from partisanship or bias. This work when read in connection with Stanford's Geographical Compendium of South America will furnish a clear-cut picture of the present situation in the South American Republics.

**Devine, E. T.** *The Practice of Charity*. Pp. ix, 205. Price, 60 cents net. Second edition. New York: Dodd, Mead & Co., 1904.

In this day when it is recognized that the administration of charity demands no little knowledge of conditions and of methods there is great need for a clear and concise statement of general principles. No better book can be put in the hands of one engaged in philanthropic work than this little volume. The present edition is thoroughly revised and two new chapters added. The underlying principles of charity are discussed and the tests of successful work indicated. The relative spheres of volunteer and professional workers is suggested. The necessity for organized coöperation is shown and a suggested constitution of a charity organization given. A number of actual cases are given to indicate the various problems and the solutions found.

**Dorner, A.** *Grundriss der Religionsphilosophie*. Pp. xviii, 448. Price, 8m. 50. Leipzig: Verlag der Duerr'schen Buchhandlung, 1903.

Dr. Dorner abandons the usual empirical method of dealing with this subject and reverts to a more metaphysical treatment. The book will nevertheless be of some interest to sociologists, who are far from agreed as to the nature of the religious sentiment. "The nature of religion cannot be understood," says the author, "if one neglects to consider the ideal of

religion and tries to determine it by means of psychological and historical data, selecting those features which are common to all religions. The mind, in all its fields of activity, sets up ideals, and concrete phenomena are only attempts to realize these ideals, which are themselves the working forces of mental life." This extract will convey some idea of the general position of the author, who gives little attention to religion as a social phenomenon but places the main emphasis upon its individual psychological nature.

**Dorsey, George A.** *The Mythology of the Wichita*. Pp. 351. The Carnegie Institution, Washington, 1904.

It is a pleasure to note this volume, collected under the auspices of the Carnegie Institution by the Curator of Anthropology of the Field Columbian Museum of Chicago. If the old traditions of the Indians are to be preserved the work must be done soon. In this collection are sixty myths. The author has written an introductory chapter of twenty-four pages, telling of the history and social life of the Wichita, a group of the Caddoan stock who have stood high among the Indians as regards home life and morality. "They have given very little trouble to the United States, and from an early time they manifested a uniformly friendly disposition, from which, however, they have received no apparent benefit."

**Dunbar, Charles F.** *Economic Essays*. Pp. xviii, 372. Price, \$2.50. New York: The Macmillan Company, 1904.

This volume, consisting mainly of articles reprinted from technical magazines, is edited by Dr. O. M. W. Sprague. A biographical introduction by Prof. F. W. Taussig adds much to its interest. The essays, twenty in all, are mainly upon questions arising out of American public finance, and the reader may be excused for thinking that the title of the volume might have been a little more apposite. They represent the maturer thought of the writer after he had surrendered his active editorial duties, in which he had done such valiant service during the financial perplexities of the sixties, and had begun the more congenial academic pursuits of his later life. They will appeal first of all, necessarily, to his students and associates. This in itself, though only a personal justification, gains much in importance, when one recalls the undeveloped state of economics in this country at the time that Professor Dunbar was called to professorship in Harvard University in 1871. But more than this, the volume will be welcomed by students of the economic conditions, and the best contemporary thought upon those conditions, of what may well be called the most dramatic period of our national history. Most of all, however, and it is this which gave him the highest gratification, some of those essays are models of careful research. Among the latter we may include "Some Precedents followed by Alexander Hamilton," "The Direct Tax of 1861," and "The Bank of Venice." The easy literary style in which they are written should make the volume one of unusual interest to the general public as well as of value to the student.

**Edgington, T. B.** *The Monroe Doctrine*. Pp. viii, 344. Price, \$3.00. Boston: Little, Brown & Co., 1905.

Reserved for later notice.

**Ely, Richard T.** *Outlines of Economics.* Pp. xii, 432. Price, \$1.25. New York: Macmillan Co., 1904.

This is an exact reprint of the editions of 1900, 1901 and 1903. The book is an expansion of the author's earlier work, called "An Introduction to Political Economy." It is intended as a text-book for colleges and aims to give a systematic sketch of economic theory. At the end of each chapter is given a bibliography of the subjects treated, and at the end of the book a list of subjects for individual study and debates.

**Hattori, Yukimasa.** *Foreign Commerce of Japan Since the Restoration, 1869-1900.* Johns Hopkins University Studies, Series xxii, Nos. 9-10. Pp. 79. Price, 50 cents. Baltimore: Johns Hopkins University Press, 1904.

**Hunt, Agnes.** *The Provincial Committees of Safety of the American Revolution.* Pp. 180. Published by the Western Reserve University, Cleveland, 1904.

This pamphlet of 180 pages is a real contribution to the study of the American Revolution. It is only by understanding the work of the committees of safety that the success of the war, and of the political revolution which accompanied it, can be comprehended. These committees, in a time of governmental chaos, performed the regular and general duties of an executive, and also controlled the provincial army. Every special student of the American Revolution will find this work very useful for its collection of facts, its table of the powers of the committees in the several states, and its convenient bibliography of works relating to the subject.

**Kasson, John A.** *The Evolution of the Constitution of the United States of America and History of the Monroe Doctrine.* Pp. xviii, 273. Price, \$1.50. Boston: Houghton, Mifflin & Co., 1904.

This work is a revised edition of a paper written at the request of the Constitutional Centennial Commission, and is intended to be of use alike to the busy man and the student. The part of the book dealing with the preliminaries of the Confederacy, the "articles of Confederation," the preliminaries of the Constitutional Convention, the Constitutional Convention, its debates and work, the action of the States in ratification of the Constitution, and the amendments to the constitution—the larger part of the book is for the student of practically no value whatever and for the general reader of comparatively little value. The author knows little of the developments of the whole colonial period, and without a keen appreciation of these no one can make a successful study of the evolution of our National Constitution. The two chapters on the history of the Monroe declaration and the declaration in later years are of far greater value than any other part of the work. These, however, are not very acute.

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**Kirkup, Thomas.** *Progress and the Fiscal Problem.* Pp. vi, 198. Price, \$1.40. New York: Macmillan Co. (London: Adam & Charles Black), 1904.

Reserved for later notice.



**Life in Sing Sing.** By Number 1500. Pp. 276. Price, \$1.50. Indianapolis: The Bobbs-Merrill Company, 1904.

Few people have had better opportunities of judging of prison life than the author, who spent some six years in Sing Sing. He gives an interesting and valuable account of his own experiences and his impressions of what the effect of prison life is upon the inmates. The picture drawn will scarcely satisfy those who think our prisons are models. He shows the existence of a deal of "graft" amongst the prison officials, and thereby points out one of the weakest spots in our prison system—the character of the officials. He finds little worth while in the average chaplain; has little faith in the Bertillon system, and little esteem for our penal methods in general. He tells of the daily life of the convicts, discusses the executions, relates the accounts of escaped prisoners, and devotes a chapter to convict slang. To the author the brightest spot in prison life is represented by Mrs. Ballington Booth and her work for convicts. Granted that the author is biased, the book will repay thoughtful reading.

**MacDonald, J. Ramsay.** *Women in the Printing Trades.* Pp. xvii, 206. Price 10s. 6d. London: P. S. King & Son, 1904.

It is evident that the Germans are not to have a monopoly in careful researches into social conditions, judging by the recent excellent English inquiries. This volume is a sociological study of great merit, for no subject is more important than that of woman's sphere in industry. This is one of the first inquiries we have had, and it is to be hoped that other trades may be studied. The volume describes the trades; gives the number of women employed; describes their work and organization; compares men and women as workers; deals with industrial training, the effect of machinery, home work; compares the married and unmarried, and treats of wages. Such a study is comprehensive, but it is well digested and set forth with the aid of charts and tables. It furnishes much material for the student, and is to be commended to all interested in woman's work.

**Marx, Karl.** *A Contribution to the Critique of Political Economy.* Translated from the second German edition by N. I. Stone. Pp. 314. Price, \$1.50 net. New York: The International Library Publishing Co., 1904.

The time has passed when an economist can complacently confess total ignorance of the writings of Karl Marx. Whether his interests are theoretical or practical, he can not avoid discussion of concepts which originate in Marx, or which, at any rate, first secured scientific standing through his use of them. But for anyone who is not a master of the German of the Hegelian writers, the task of reading Marx in the original is most irksome. Accordingly economists owe a debt of gratitude to Dr. Stone for translating what is in many respects the most interesting of the works of Marx. Though the translator modestly recognizes the literary shortcomings of his work, these are certainly not apparent to the reader. The style is as simple and clear as one could reasonably expect; the sins against English idiom are conspicuously few. The faithfulness of Dr. Stone's work is shown by the fact that he has taken the pains to restore, from the original sources, all

English citations, and to correct page references which proved to be wrong. In an appendix is given a translation of the "Introduction" to the *Critique*, written by Marx in 1857, but not published until recently. This part of the work is fragmentary and somewhat difficult to follow; it will, however, prove of considerable interest to students of Marx.

**Mayr, Georg von.** *Allgemeines Statistisches Archiv*. Zweiter Halband, Bd. VI. Tübingen, 1904. Verlag der Laupp'schen Buchhandlung.

The most important article in this volume is doubtless that of Dr. Fr. Prinzing on the Law of Population, although a most interesting contribution is that of Dr. H. Rost on Suicide in Cities. Dr. Prinzing maintains that the Malthusian doctrine of population has so long continued to receive attention, not because of its scientific value, which is very small, but because of the pessimistic conclusions which naturally result from it. The problem of population, declares the author of the present article, cannot be considered wholly from the economic point of view, but should be treated from three standpoints: the biological, the historical and the sociological. As the result of a careful consideration of these factors, in addition to a careful study of available statistics, Dr. Prinzing concludes that "the growth of a given population is determined by its vitality and intelligence." The word vitality embraces: First, the power of reproduction, which varies greatly from one race to another; and secondly, the ambition of a people and the energy with which they seek to accomplish their ambitions. Intelligence, on the other hand, means knowledge of economic forces and conditions. Dr. Prinzing's article is, on the whole, a judicious summary of the problem of population, and well calculated to evoke a sound distrust of all generalizations concerning this subject.

**Mill, Hugh R.,** Edited by. *The International Geography*. Pp. 1088. Price, \$3.00. New York: D. Appleton & Co., 1905.

A second revision of the *International Geography* has recently appeared. Teachers and students of geography are grateful to Dr. Mill for keeping this most valuable handbook up to date. The volume has been the standard work on general political geography during the past five years, and promises to continue to hold that place for some time to come.

**Münchener Volkswirtschaftliche Studien.** Vols. 52, 57, 58, 59, 61, 63, 64. Stuttgart and Berlin: J. G. Cotta.

*Die Deutschen Börsensteuern, 1881-1900.* By Alfred Meyer (Vol. 52).

*Die Deutsche Branntweinbesteuerung, 1887-1902, und ihre wirtschaftlichen Wirkungen.* By Edgar Ginsberg (Vol. 57).

*Die Lage der Bergarbeiter im Ruhrrevier.* By Lorenz Pieper (Vol. 58).

*Die Franziskanische Bewegung—Ein Beitrag zur Geschichte sozialer Reformideen im Mittelalter.* By Friedrich Glaser (Vol. 59).

*Das Kontokorrentgeschäft im deutschen Bankgewerbe.* By Siegfried Buff (Vol. 61).

*Geschichte der Teilung der Gemeinländereien in Bayern.* By Franz X. Wis-müller (Vol. 62).

*Die Französische Handelspolitik, 1892-1902.* By Dr. Wellimir Bajkic (Vol. 63).

*Landarbeiter und Landwirtschaft in Oberhessen.* By Eugen Katz (Vol. 64).

**Page, Thomas Nelson.** *The Negro: The Southerner's Problem.* Pp. xii, 316. Price, \$1.25 net. New York: Charles Scribner's Sons, 1904.

The considerate, conservative, yet hopeful, tone of this volume commends it to all readers. It deserves careful reading by those to whom it is dedicated, "All those who truly wish to help solve the race problem." The different chapters have been published in magazines during the last two years. The author discusses the subject historically, describing the old-time negro and showing the old relation between the races with some of its good and bad features. Lynching receives careful treatment, as does the partial disfranchisement of recent years. Mr. Page believes, as does Mr. Shaler in his recent volume "The Neighbor," that the negro question is about the most difficult one confronting us. Only time can show the solution, but it is our duty to understand the history and the forces now at work, which vary as conditions vary. Although he calls it the Southerner's Problem, he disproves this by saying "the situation is already too serious to be disposed of without the expenditure of all the courage, wisdom and patriotism of the entire white race in America." The negroes are here to remain, they must be trained and educated into good citizens. It were easy to criticize many of the conclusions of the author. He has discussed the old questions and given us nothing distinctly new. It is, however, probably the most sympathetic book yet written by a Southern man on this subject. As such it is particularly commended to Northerners who wish to understand how the intelligent South views the problem.

**Reich, Emil.** *Success Among Nations.* Pp. xi, 293. Price, \$2.00 net. New York: Harper & Bro., 1904.

This volume is a series of brilliant and suggestive generalizations rather than a careful and convincing analysis. So much ground is covered that one is forced often to ask whether we have the facts before us to justify such sweeping declarations. The discussion is stimulating and deserving of attention. Success is considered in its various phases, economic, political, literary, artistic, and religious. The author finds that the soil of Egypt, Babylon and Corinth was so rich and fertile that it choked higher developments and these civilizations are noted only for their mass. But in history mass plays a small part. Small and intense minorities are the stuff from which start the causes of history (207). As Heraclitus said, "War is the parent of all things." It has ever been the frontier nations which have risen highest and this because of the necessity for struggle. National success is one-sided. The Greeks succeeded because of their power of generalization and the discovery of the true forms of self-expression. Rome stands for will power, London for intellectual development. Boutmy's explanation of English success is ridiculed. But the English boy is oppressed by his sense of responsibility for the future, and on the continent also the intellect is overdeveloped in



the schools and will power is sacrificed. Military training partially offsets this. The ideal is a balancing of intellect and will. This gives the power seen in Calvinism and best illustrated by the Jesuits (128). Because of necessity for struggle and the determination to succeed the foreigner usually outstrips the native (134). This explains the great energy of Americans, who are all foreigners (137). Geographically Italy is well situated but is handicapped by not having *won* her independence. France is more demedievalized than any other nation, and has developed a sense of pride amongst all classes. The French army is probably the most effective in Europe. The Slav is stamped by subtlety and cunning rather than intelligence. Pan Slavism is an idle dream, for Russia has all she can do for the next century to develop Siberia. Germany will realize much of the higher type of civilization, but will find her imperial and economic progress blocked by the impossibility of getting a really dominant position geographically and by the rising industrialism of the rest of Europe. The English civilization will be great and one-sided, while England's position is likely at any time to be lost by the downfall of her navy. America will probably become the economic centre of the world, but will fail in securing the highest intellectual development. It suffers by the over-mentalization of its women, which is purchased at frightful cost. Conflict with Europe will teach America some wholesome lessons. "A close study of American history and American institutions inspires us with far more apprehension as to a sound development of America in the future, than with fear for the fortunes of Europe." The author thinks race counts for little, and to him Jerusalem, Athens, Rome, Florence, Paris, London mark the high tides of success.

Rivière, Louis. *La Terre et L'Atelier: Jardins ouvriers*. Pp. vii, 219. Price, 2f. Paris: Victor Lecoffre, rue Bonaparte 90, Editeur, 1904.

The author describes what has been accomplished in France and elsewhere by such organizations as the "Ligue du Coin de Terre et du Foyer," toward realizing the idea that every laborer's family should possess in addition to a home of its own a little plot of ground. This plot of ground, it is held by the advocates of the idea, would not only add something to the economic prosperity of the workingman's family, but would involve a more than commensurate moral advancement. The laboring classes are now too prone to waste their time and substance in coarse and oftentimes degrading pastimes; give them a plot of ground to cultivate, and they will find in it not only recreation and profit, but happiness and moral elevation. The section on the United States is devoted largely to a description of the methods employed and results attained by the so-called "vacant lots associations."

Shaw, Albert. *The Business Career in Its Public Relations*. Pp. 60. Price, \$1.00. San Francisco: Paul Elder & Co., 1904.

Dr. Shaw in this little book makes an earnest plea for higher idealism in business. There is no reason in the world why business or trade should not be considered a profession in the highest sense of the word and be absolved from the reproach that is so commonly attributed to its following. The modern age is an industrial period and our development has been due

to our vast wealth. This wealth has, however, brought us face to face with many vital problems which will test the best qualities of the business man. He is brought into contact with all sorts of conditions, and in order to grapple with these problems should be liberally equipped with broad economic, historical and sound political education as well as specialized business training.

**Steinmetz, S. R.** *Rechtsverhältnisse von eingeborenen Völkern in Afrika und Ozeanien*. Beantwortungen des Fragebogens der Internationalen Vereinigung für vergleichende Rechtswissenschaft und Volkswirtschaftslehre zu Berlin. Bearbeitet im Auftrage der Vereinigung. Pp. vi, 455. Berlin: Verlag von Julius Springer, 1903.

Dr. S. R. Steinmetz, of the University of Leyden, has reproduced the replies nearly in their original form, but he has prefaced the description of the legal institutions by a brief account of each tribe. He has, moreover, added a number of ethnographic and ethnological notes, with a view to calling attention to the literature concerning each group of peoples. The investigation includes data about seventeen peoples, and is chiefly of a juristic rather than general-sociological character. The volume as a whole constitutes a mine of valuable material for the student of comparative jurisprudence and of sociology.

*United Kingdom: Annual Statement of Navigation and Shipping, 1902.* Pp. xii, 344. Price, 2s. 10d. London: Weyman & Sons.

*United Kingdom: Annual Statement of Trade with Foreign Countries and British Possessions, 1902.* Vols. 1 and 2. London: Weyman & Sons.

**Woodruff, Clinton Rogers,** Edited by. *Proceedings of Chicago Conference for Good City Government and the Tenth Annual Meeting of the National Municipal League, held April 27, 28, 29, 1904, at Chicago.* Pp. 410. Philadelphia: National Municipal League, 1904.

The published Proceedings of the Chicago Conference of the National Municipal League contain a most valuable series of papers on various phases of municipal government and activities. Probably the most prominent contributions to the subjects are contained in the articles dealing with nomination and election reform, especially the papers of Horace E. Deming and Geo. W. Guthrie. The annual review, presented by the Secretary of the League, the Honorable Clinton Rogers Woodruff, sounds the note which has dominated the activities of the League during recent years. Instead of carping criticism the Secretary points out the substantial progress that has been made in the management of municipal affairs. The Secretary closes his review with the following statement: "While there are many difficulties and dangers in the path of our municipalities to a higher life, it cannot be denied there is a distinctive trend toward better things all the time and all along the line. There is an immense amount of work yet to be done, and members of the National Municipal League need not sigh for other problems to solve; nevertheless a calm review of the disclosures and developments of the past year justifies the conclusion that there has been a steady and substantial progress toward better conditions."

Young, Jeremiah S. *A Political and Constitutional Study of the Cumberland Road*. Pp. 107. Price, \$1.00. University of Chicago Press, 1904. This is an admirable little monograph, a source study of a constitutional question of great historical significance. The introductory chapters on the early transportation difficulties and the first roads to the West are a most convenient summary of that interesting problem in our early economic history. The two following chapters on the genesis of the Cumberland Road, its location, construction and administration, will be welcomed by everyone who has had to lecture on the subject. The long constitutional controversy is clearly outlined, taking up the question of eminent domain, jurisdiction, Monroe's veto, and the final surrender of the road to the states through which the road passed. The monographic study will greatly aid the general historian in getting a sure grasp of the main questions involved.

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REVIEWS.

Carver, Thomas Nixon. *The Distribution of Wealth*. Pp. xvi, 290. Price, \$1.50. New York: Macmillan Company, 1904.

At least three treatises by American authors upon theoretical economics, not to mention a very able translation of another one, have appeared within a twelvemonth. This ought to be a sufficient refutation of the charge that interest in economics at present concerns itself only with concrete industrial problems. The discussion of problems must inevitably send us back to a more careful examination and restatement of theories, and fortified by such restatement, again the problems are assailed.

The work under consideration is admirable as a theoretical discussion in that it is centralized about the shares in distribution, preceded by what the author considers necessary by way of introduction, namely "value," "diminishing returns," and "forms of wealth and income." Thus it avoids many subjects, as exchange for instance, which are always treated in the text-books.

If we are to believe the testimony of the author, it "is primarily an attempt to explain the valuation of services," and the chapter on value is only incidental to his main purpose. The writer hereof believes, however, that there are many who will agree with him that the most interesting feature of the work is this chapter on value. It is interesting in the first place, because it marks a revolt against the psychological explanation of value. To be sure he tentatively safeguards himself by saying that he would be the "last to belittle the importance of the psychical side of economics," but he thinks, nevertheless, that the "psychical element predominates only in the department of valuation." He expresses the hope that "economics may remain, as it always has been, a concrete science," and he refers to "Economists who have passed out of the metaphysical stage of their mental development," as "content if they can find a satisfactory explanation of the facts of the economic life which they see in the world about them." All of these expressions betoken apparently a dissatisfaction with the psychologi-



cal explanation of value. When, however, an objective norm can be devised which will answer the requirements of market value as well as of normal value, it will be time enough to talk of "economists who have passed out of the metaphysical stage of their mental development." One can but wish most heartily, in view of the extravagant "capitalization of hopes" so common in modern finance, that such an objective norm were possible, and sympathize accordingly with any attempt to realize it or to revolt from the tyranny of the psychological concept of value.

The concrete is everywhere uppermost throughout the book, sometimes, perhaps, as in the treatment of "wages," to the doubtful advantage of the discussion, for, though the remark is patent enough, a protracted or involved illustration overloads or obscures an argument instead of elucidating it.

The style is characterized by a certain vivacity which greatly enlivens the discussion and claims the attention of the reader whether he agrees or disagrees with the conclusions.

J. E. CONNER.

*University of Pennsylvania.*

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Gide, Charles. *Principles of Political Economy*. The second American edition, translated from the latest original and adapted to use by American students, by C. W. A. Veditz. Pp. xiv, 705. Price, \$2.00. New York: D. C. Heath & Co., 1904.

When a text-book has gone through eight editions, and in addition has been translated into eight important foreign tongues, any comments on its fundamental merits would be fatuous. Professor Gide planned to set before the student a plain statement of accepted principles of economics, a summary of the important ones advanced by particular schools, together with the ground upon which they have been rejected, the present elements of discussion and clear brief outlines of the solutions offered. Perhaps much of the popularity of the book is due to its catholicity. The accepted principles are not only made distinct, but they are further impressed by the mechanical aid of italics. Their presentation is made still more effective through illustration of their vital connection with present business affairs. Historical perspective is made most useful, in fact, made inseparable from the study of the book by the admirable survey connected with each important subject.

The arrangement of the material is open to criticism as unnatural and liable to interrupt and confuse the thought. This is not true as regards the general plan of the book, but only as regards topics under the chief heads—f. i., the elements of consumption are outlined, in order that their significance may be grasped better, before production is treated of at all. This is only one of the efforts made to make the whole easy of comprehension. This object has been achieved and it is largely because of this characteristic that the book found such instant recognition.

Professor Veditz must be given credit and congratulation for the

vitality and the up-to-dateness of this book. He has illustrated the application of the theories so really as to dissipate that atmosphere of recondite minutiae so repellant to the student. Dr. Veditz is himself responsible for much of the unusually satisfactory discussion on distribution and consumption. He has added this material in accordance with Professor Gide's own idea, and in so scholarly a manner as to retain full unity and harmony with the original while adding just completeness to the treatment of these topics.

WALTER E. KRUESI.

*University of Pennsylvania.*

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Goodnow, Frank J., LL.D. *City Government in the United States.* American State series, edited by W. W. Willoughby. Pp. x, 315. Price, \$1.25. New York: Century Company, 1904.

Professor Goodnow has conceived his subject in the broadest sense. He refrains from giving a mere recital of legal provisions, probably because he understands the problem of city administration to include the activity of the city rather than the methods of organization employed in city government. From the standpoint of the citizen it is this operative side of municipal administration which is interesting. The author discusses the position of the city in its subordination to the State, and reviews the general questions of municipal home rule. These questions are necessarily affected by the uncertain condition of the public mind as to what the precise sphere of city functions should be. "The whole matter of municipal functions, therefore, is in a state of flux. What may be a municipal function at one time in a given State may not be at another. . . . But we shall probably see in the future, as we have seen in the past, a continual encroachment of the State on what has been recognized as the domain of the city, due to the fact that what the city is doing has become of interest to the State as a whole."

After a brief contrast between foreign conditions and those of the United States, showing that abroad the city is a natural unit which has grown up out of local conditions, whereas the American city is a creation of the State legislature, Professor Goodnow examines the principal means of controlling city affairs, now exerted by American State governments. The author also gives a summary of the organization of the city legislature or council. The greater part of the book, however, is devoted to a review of the administrative side of city government. This is a practical recognition of the fact that the weaknesses of our city governments are largely administrative rather than legislative in character. Pursuing this thought, Professor Goodnow does not aim to give a complete discussion of all the administrative functions of the municipality, but concentrates his attention upon those duties of the city which form the main points of discussion at the present time. These are the duties and powers of the mayor, police administration, the department of charities and correction, school administration, the departments of public works and the fiscal administration. A chapter is devoted to each of these, and in each chapter a brief historical resumé, with a description of existing conditions and a critical review, is given. By far

the most interesting part of the book is the chapter devoted to the "Participation of the People in the City Government." Professor Goodnow points out that it is possible for a large vote to be cast in the cities of the United States "by a more or less floating population which has no real or abiding interest in the affairs of the municipality." He shows that the feeling of neighborhood is stronger in the rural communities than in the city, that offices are much more numerous in the city, and that urban administration is more complex than that of a rural district. For these reasons the elective principle should not be indiscriminately applied in the choice of city officers but should be modified by an extensive employment of the appointing power. The author concludes this chapter with a review of the attempts which have been made to form distinct city parties in order to enlist the citizens in the cause of efficient government. He summarizes the results achieved by the Citizens' Union in New York and the Municipal Voters' League in Chicago, concluding that the principles adopted in both cases are in the main sound and are based upon the practical needs and conditions of the two cities.

Professor Goodnow's book will be found eminently readable and useful as a text. Its value in the latter respect might be enhanced by the addition of a selected bibliography.

JAMES T. YOUNG.

*University of Pennsylvania.*

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Herrick, Cheesman A. *Meaning and Practice of Commercial Education*. Pp. xv, 378. Price, \$1.25. New York: Macmillan Company, 1904.

The author, who is the Director of the School of Commerce of the Philadelphia Central High School, has furnished much desirable information as to the status and value of commercial education in the world to-day. The work is a distinct service, because it gives us the first complete collection of facts and figures on the subject. The reading will prove with what judgment these have been selected, how clearly and succinctly expressed, and in what most logical and convincing manner they have been arranged.

Dr. Herrick's thesis is that "no *best* scheme of education can be devised either for all the people at any one time, or for a part of the people for all time." To put it in another way, we are a progressive and a composite society, and our educational needs demand a composite and progressive educational equipment. The forms of instruction which provide for classical, literary, scientific and industrial life work have become established and understood, and we are now getting a form "which both directly and indirectly prepares the future business man for his calling," and which will "raise commerce above mere commercialism."

Plainly and tersely we are shown the development and the progress which has been made in providing such courses of instruction in Germany, France and Belgium, Switzerland, Austria, England and the United States. The separate treatment of each is to be praised, for it provides a distinct concept for each and makes more ready the comparison with our American



efforts and the judgment as to the probable course of their further development.

Private, Secondary and Higher Commercial Education in America are treated in this order as to history, place and value. The details of the history of the private schools are given rather more fully than is necessary or due. The problems of curricula, relations to other branches of education, the manner of government and support are clearly summarized for each class. Of especial interest is the analysis of the ideals and the methods adopted for their attainment in the principal schools now established. To make complete the information there are added two appendices; the first dealing with statistics, curricula and illustrative examination questions of the various grades of schools; the second with a select bibliography of some three hundred and fifteen references.

The book reveals a most methodical search for and study of all the materials available in this country and Europe. The best has been culled, correlated and marshaled to the purpose of satisfactorily establishing the place and value of commercial education in the world to-day.

SIMON N. PATTEN.

*University of Pennsylvania.*

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**Lydston, G. Frank, (M.D.).** *Diseases of Society and Degeneracy.* Pp. ix, 626. Price, \$3.00 net. Philadelphia: J. B. Lippincott Co., 1904.

This is one of the most outspoken and frank discussions of social problems I have seen. Because of this and because of the very suggestive and interesting comments of the author it will repay careful study. Intended primarily for professional readers, it is nevertheless easily comprehended by the laity.

The style, although brilliant at times, is open to much criticism. It is verbose, often disconnected and rambling. The author often goes out of his way to make sarcastic flings which in nowise strengthen his argument and extravagant statements abound. There are many seeming contradictions. A more careful editing of the book would have removed many of these and given it greater force.

The author begins by a justified protest against existing primitive measures, but this first chapter on Social Pathology is rambling. In the second chapter on the principles of evolution one expects a clear discussion of the question whether acquired characters are inherited, as this has vast significance for one who seeks to improve conditions. This, however, is lacking, and the chapter is a jumble, with a large element of preaching. Here and elsewhere the careful reader must often ask whether or not social and physical heredity are not confused. Nor does the author cite evidence to justify his belief that acquired traits are transmitted. The biologists who have long hunted for *one* such case would simply have been grateful. Author says (86), "A degeneration of development from the average normal type is the fundamental cause of the majority of the multiform social acts included under the captions of vice and crime. This degeneracy may be

inherited or acquired." (88) "To this common cause may be attributed a large proportion of cases of inebriety, insanity, epilepsy, pauperism and prostitution." (182) "Brain defect of some kind affecting the mental and moral faculties is the *fons origo* of criminality." Thus the author emphasizes the physical basis of crime and atavism constantly tends to destroy the later and higher developments of man which (90) "are as artificial as every other result of adaptation to civilization." To assume then (90) "as a corollary, that normal man is naturally disposed to crime and vice" is either a contradiction in terms or a *reductio ad absurdum*. Equally far fetched is the statement (76) that the filthy habits of imbeciles are due to a reversion to primitive conditions, for under such conditions an imbecile is unthinkable. If these things be true one wants more evidence than is presented to substantiate his claim (on page 402) that there is more of innate, hereditary and acquired depravity to combat in boys than in girls. Nor does the author hold at all strictly to this hereditary basis of degeneration, for he says (142) "the child who does not get proper training, supported by maternal affections, is in danger no matter what his heredity may be." To recognize prostitution of women as the counterpart of crime among men and then to claim (373), "The sexuality of the male has more to do with the primal cause of prostitution than has the degeneracy of the female," is contradictory at least.

Nor can we accept certain other statements of the author. It is surely incorrect to say (127), in discussing race hatred, that here is "no color line" outside the United States. Nor can we agree that (133) the worst feature of immigration is the incoming of persons with ignorant and fanatical social and political notions. Nor is evidence forthcoming that (508) occasional criminals are fewer, habitual criminals more numerous, in Europe than in the United States, or that (78) the type is more fixed in Europe.

In spite of many blemishes the book is of great value. The attempt is made to consider these problems as social products. Anarchy receives suggestive treatment, and the dangerous anarchist is considered to be the man who abuses his power and disregards law, prostituting social institutions for selfish ends. Our "nerve shattering life" is sharply criticized, and its evil tendencies noted. The author views alcohol as a poison, and says (200), "physical degeneracy alone excepted, alcohol is unquestionably the most potent factor in the vice and crime problem." This is too strong a statement with the knowledge we now possess. Drunkenness, the author properly claims, is a disease, not a crime. Pages 302 to 425, on Sexual Vice and Crime, are very important, and society may well take to heart many of Dr. Lydston's statements and his plea for better education and training of the young. Genius and degeneracy are considered as being usually synchronous, not to say synonymous. From page 476 to 555 the author attempts to describe the different types of criminals with indifferent success, it seems to me, although the discussion is interesting and many portraits of criminals are shown. Dr. Lydston believes that Gall's work in localizing brain centres is not yet either appreciated or completed, and when it is done we shall better understand criminals and crime than we do to-day.

The final chapter is on "The Therapeutics of Social Disease." "Society

begins its self-contamination at the marriage license window." More control is here needed and physical fitness is more important than civil fitness. The author makes out a strong case for a sexualization or sterilization of many defectives and criminals. Then the conditions of the poor must be improved and juvenile courts are needed to keep boys and girls from being dealt with as criminals. The author pleads for boys' clubs, etc., although he is seemingly unacquainted with much of the work now being done. In conclusion, a more rational treatment of the criminal is urged and the training such as is given at Elmira, "represents the general plan upon which crime must be combatted if the world is ever to accomplish much in the prevention and cure of the most formidable of all the diseases of society."

With the general thesis of the book and a large percentage of the conclusions the reviewer is in hearty sympathy and heartily commends it to students of social problems.

CARL KELSEY.

*University of Pennsylvania.*

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Rhodes, James Ford. *History of the United States from the Compromise of 1850*. Vol. V, 1864-1866. Pp. xi, 659. Price, \$2.50. New York: The Macmillan Company, 1904.

This is the fifth of Mr. Rhodes' volumes on the *History of the United States*. Like the two preceding volumes it covers only about two years of time, so that we are led to believe that if the present proportion is kept up several volumes more are still due before Mr. Rhodes completes his task. The present volume opens with Sherman in camp at Atlanta preparatory to beginning his march to the sea, and closes with the triumph of the Republicans in the Congressional elections of 1866. As a whole, it comes up fully to the high standard set in the preceding volumes. In the treatment of the controversial questions of the time Mr. Rhodes shows the same spirit of impartiality and breadth of view which has won for him the admiration of students. His conclusions are reached only after the most patient and exhaustive examination of all the available material. There is so little to criticise in the volume under review that no effort will be made here to do more than give some idea of the scope of the work and the author's estimates of men and measures.

The description of the march through Georgia is prefaced by an estimate of Sherman, for whose ability as a commander Mr. Rhodes has unstinted praise. The orders to "forage liberally" led to some lawless pillaging and unwarranted burning of buildings, but he thinks Sherman was not responsible. Nevertheless he admits (p. 24) that the immorality and rapacity of the notorious Kilpatrick was "winked at" by Sherman on account of Kilpatrick's efficiency as a commander. Sherman's conduct on the march through the Carolinas, Mr. Rhodes seems to think, is less free from criticism. His "insatiable desire to wreak vengeance" upon the South Carolina aristocrats led to the issue of orders which, though "probably justified from the



military point of view," left "loopholes for the mania of destruction" (p. 88). In the final campaigns in Virginia Mr. Rhodes thinks Grant, whose shortcomings in the operations of 1864 he had freely criticised, "outgeneralled" Lee, but, since according to Rhodes' own statement (p. 130), Grant outnumbered Lee nearly three to one, the compliment is of doubtful value. His treatment of the military resources of the two belligerents and the cost of the war in men and money (pp. 186-188) seems to the reviewer altogether too brief. Reducing the total enlistments of both sides to a three year basis, he estimates the number of men who served in the Union army at 1,556,678, and the number in the Confederate army at 1,082,119, making substantially a ratio of three to two, which will seem to many to be an exaggeration of the Confederate strength. It is much larger than the estimates of Dodge and other competent military historians.

Two excellent chapters, embracing nearly one-half the entire volume, are devoted to society at the North and at the South, respectively. The former deals mainly with business conditions in the North during the war, government frauds, the Christian and Sanitary Commissions, trade between the North and the South, and Northern opposition to the war. The latter is devoted to a description of the financial difficulties of the Confederacy, industrial and economic conditions in the South, blockade running, illicit trade, conscription and desertion, social life among the whites and the part played by the blacks in the struggle. Mr. Rhodes devotes considerable space to the subject of illicit trade during the war, particularly in cotton and to the wholesale frauds perpetrated upon the government by dishonest agents in the South, the profits of which in some cases were shared by military commanders of high rank. He thinks the evidence "furnishes a strong presumption" of General Butler's guilt in this respect (p. 308).

Particularly valuable is the chapter on the treatment of prisoners by both belligerents, to the study of which subject Mr. Rhodes intimates that he devoted a year's time in the hope of ascertaining the facts concerning which there has been so much controversy and recrimination. His discussion is extremely frank and judicial. Concerning the brutal treatment of prisoners by punishment and shooting, both sides, he says, offended in about the same degree (p. 506). "All things considered," he concludes, "the statistics [of deaths among the prisoners] show no reason why the North should reproach the South" (p. 508). "If we add to one side of the account the refusal to exchange the prisoners and the greater resources, and to the other the distress of the Confederacy, the balance struck," he says, "will not be far from even." The St. Albans' raid and the attempt to burn New York Mr. Rhodes pronounces as "dark episodes" in the "desperate months" of the Confederacy (p. 342). General Forrest he defends from the charge of instigating the Fort Pillow massacre, and declares that the affair was neither ordered nor suggested by him (p. 513). For the final chapter Mr. Rhodes reviews the beginnings of reconstruction, giving considerable space to Andrew Johnson and his policy. The constitutional theories of reconstruction he disposes of by referring the reader to Deering's Essays. Unfortunately Mrs. Pryor's and Mrs. Clay's reminiscences, as well as the memoirs of Henry

Villard and Pearson's "*Life of Governor Andrew*," were published too late to permit of their use by Mr. Rhodes.

JAMES WILFORD GARNER,

*University of Illinois.*

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Scott, S. P. *History of the Moorish Empire in Europe*. Three volumes. Pp. xlii, 761; ix, 686; ix, 696. Price, \$10. Philadelphia and London: J. B. Lippincott Company, 1904.

The history of the Moorish Empire in Europe is a work that will undoubtedly adorn the shelves of many private libraries, for it is well gotten up by its publishers, printed in good type, tastefully bound, and, as one looks at the pages, conveniently paragraphed for easy reading. On opening the first volume also one is dazzled by the array of authorities presented by the author, arranged and classified, not only alphabetically, but also by languages in order to promote facility of reference. But at this point suspicions are aroused, for it would be difficult for one not already master of the field to find his way intelligently among the 717 separate works in 15 languages that are here thrown together. No note of the author suggests which are the best authorities to consult, the books range in date from the sixteenth to the nineteenth century, and an earlier edition is sometimes quoted in place of the last and revised form of the work. In the text there are no references whatever, so that it is impossible to tell the source from which particular statements are drawn—a serious drawback when it is considered how startling some of these statements are. We should be glad to know, for instance, what reasons there are for supposing that coffee was one of the staple articles of export from Arabia in the period before the birth of Mohammed; or the evidence that proves so conclusively that the so-called *jus primæ noctis* was practiced all over Europe in the Middle Ages, that vassals of all degrees were subject to it, and that it was a right attached to the estates of most of the great abbeys and sees of Catholic Europe; or the proof that the Pope issued blank indulgences purchasable by any criminal, who could then fill in the description of a contemplated crime and thus secure immunity from all punishment. In fact, one of the most striking things about the book is the author's bitter hostility toward the Church. He can find nothing good to say for it under any circumstances.

When he treats of Mohammedan affairs proper he is on rather firmer ground, and the history of the Moorish occupation of Spain is fully and on the whole accurately traced. The first three chapters of his book are devoted to a review of the development of Islam prior to 711, and the fourth to a description of Visigothic Spain. The remainder of the first volume and all of the second are given up to Spanish affairs. Even in this part of the work, however, Mr. Scott's peculiar methods of work invalidate some of his conclusions. It is evident that he has laboriously consulted the vast array of authorities grouped at the beginning of this history, but without manifesting any critical insight. Whenever he finds an attractive statement, no matter what the source, he puts it down and the material thus collected



has been so carelessly worked over that contradictions are frequent and the point of view is sometimes changed two or three times in as many pages. An example of the way he employs his authorities may be seen in the fourth chapter, where the conditions in Spain that rendered Moslem conquest easy are under discussion. On page 174 we find the statement that King Witiza, next to the last of the Visigothic rulers, caused a church council to pass laws authorizing the marriage of the clergy and the institution of polygamy among the people. The authority for this statement is not given, but it seems to have been drawn from Lea's *History of Sacerdotal Celibacy*, although the latter gives the regulation as emanating directly from the king and not from the council. Now Mr. Lea is generally a safe writer to follow, but it happens that just here he has been misled by trusting to the so-called Chronicle of Liutprand, which has been shown to be a forgery of the sixteenth century. The only contemporary authorities that mention King Witiza speak of him as an enlightened prince, about whose reign no such scandal attaches, and the later stories of his proficiency seem to have been invented by the chroniclers to account for the triumph of a false religion. Mr. Scott, therefore, in his desire to find matter of accusation against the Spanish church of the eighth century, has wholly misstated the facts, though he might have been put right by consulting so common an authority as Gibbon, while he has had the misfortune to let escape him so savory a morsel as an undoubted case of forgery by a Jesuit of the sixteenth century.

The same faults and errors are to be met with throughout the work. The third volume, which is devoted to a survey of Moorish civilization and a comparison of it with contemporary Christian culture emphasizes the superiority of the former and points out the many valuable contributions that reached Europe through Mohammedan Spain; but one never feels quite sure that these influences are justly estimated unless he knows of confirmation from other sources. When it comes to the picture that Mr. Scott draws of the rest of Europe during the Middle Ages, we have a piece of literature worthy to rank with the tracts of the A. P. A. There we find heaped up together all the scandal and refuse that have attached themselves to the Church from every quarter for the past thousand years without any attempt even to sketch the other side of the picture. Such a method of treatment of the history of mediaeval Europe is entirely out of date, and it cannot be said that on the whole the *History of the Moorish Empire in Europe* is either a safe or a well-balanced book.

A. C. HOWLAND.

*University of Pennsylvania.*

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Thorpe, Francis Newton. *A Short Constitutional History of the United States*. Pp. vi, 459. Price, \$1.75. Boston: Little, Brown & Co., 1904.

This book is not an abridgement of the author's well-known larger works, but rather a new and briefer text based upon the same materials. Dr. Thorpe's method is best illustrated by his comparative study of the state constitutions, which are traced to their original sources, the conscious needs



of the people. Much use is made of the debates in state constitutional conventions. The book is to be especially commended for its well assorted information upon recent constitutions in the various States. Comparative study of constitutions is closely related to the more general subject of comparative legislation. This is well illustrated in our author's treatment of the varying legal status of the negro in American history. The successive steps by which "a race without a country" has become a race endowed with full political rights are clearly traced, showing the changes in statutes and in State and Federal constitutions. Wherever the Federal constitution is considered, whether the special topic is its formulation, exposition, amendment, or interpretation, the standpoint is that of adaptation to conscious needs and popular demands.

An appendix contains the text of the constitution with a citation of cases interpreting its various sections and clauses. Of these the longest list—about 200 cases—is appended to Section 10 of the First Article, which contains prohibitions upon the States. The interstate commerce clause and the section stating the jurisdiction of the Federal courts are followed by citations of more than a hundred interpreting cases. Of the amendments the Fourteenth has been most subject to judicial interpretation.

Besides the general index a special index to the Constitution is provided.

JESSE MACY.

*Iowa College.*

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Walker, Francis. *Monopolistic Combinations in the German Coal Industry*. Publications of the American Economic Association. Third series. Vol. V, No. 3. New York, 1904.

There does not seem to be any question that during the last few years economic students have taken a special interest in the mining and smelting industries, as is shown by many monographs. Thirty years ago other industries were especially favored by students, as for instance, the cotton industry of Lancashire, the hardware industry of Sheffield and the machine industry. The economic importance of these industries has not diminished. Why, therefore, this relative decrease of interest? Why this preference for the mining and smelting industries? The textile industries and manufacture of finished iron products were the best representatives of the then ruling type of capitalistic industries, based upon free competition; to-day the mining and smelting industries are the most advanced, organized groups of enterprises, aiming toward monopoly.

These industrial monopolistic combinations are furthest advanced in the United States and Germany. The history and the importance of Trusts and similar combinations in the United States have been the subject of a great number of essays, not only by American writers, but during the last few years by European economists as well. While, however, at least some of the European authors were trying to compare the status of affairs on the European continent with that in America, the American writers were too busy with questions relating to their own country to consider the European

development. This seems to be the reason why, apart from certain United States Government publications, and Mr. Jenks in the *International Monthly*, the book which I have the pleasure of reviewing is, to my knowledge, the first which deals particularly with the question of European monopolistic organizations from an American viewpoint. If for no other reason, Mr. Walker deserves credit, because he is perfectly right in stating that "the solution of the problem of monopolistic combination cannot be successfully obtained by the study of any one country," and, on the other hand, a comparison of the different countries "helps to differentiate the accidental from the substantial features of the problem."

The ruling form of monopolistic combination in Germany and on the European continent is the "cartell," *i. e.*, an organization of independent enterprises which surrender some of their rights to a pool, without entirely losing their individual existence, as compared with the American Trust, which absorbs individual enterprises and combines them in one company under one head. The reasons for these differences in the form of combination are as much of an economic nature as of a legal or sentimental one.

The "Rheinisch-Westphälische Kohlensyndikat," the combination of mines in Germany's coal district, is one of the strongest organizations of its kind in Europe.

The individual mine owners, or mine companies are limited to the technical management of their mines. Prices and the amount of production, are affixed according to the allotment by the "cartell," which is managed in a democratic way, each mine having a certain number of votes, according to its participation figure of production, which, broadly speaking, depends upon its capacity. All sales of coal are made by the syndicate, except in a very few instances.

In Upper-Silesia a simpler organization has proved effective, owing to the fact that the mines are mostly in the hands of a small number of individual owners, who are in perfect accord with the Prussian Government, which is the largest producer in that region. In the Saar District there are practically only Government mines. We can safely omit the other coal fields of Germany, which are of minor importance.

The combinations of the Ruhr District, the R. W. K. Syndikat, as well as the Coke and Briquette Syndicates, which are now united with the R. W. K., are beyond any doubt the most important of all the organizations mentioned.

Mr. Walker has studied most of the valuable literature concerning the Ruhr "Cartells" and acquired a considerable knowledge of the situation. Anyone desiring information concerning the technical workings of the combination, will find an interesting exposition in this book. The study of the economic causes and features of this combination, and of the individual rules and practices was undoubtedly a most difficult undertaking for one not a German. Although one must take more or less exception to some of his statements, the book in this respect is a valuable contribution to the "Cartell" literature from the viewpoint of a German scholar, and will form an excellent introduction of the problem of "Cartells" for the students.

It would be difficult and hardly worth while to criticise the minor errors. It was merely due to insufficient and non-representative statistics that Mr. Walker was misled as to the advantages arising to the iron and steel mills from the ownership of the coal mines. The facts pertaining to this question, which will be found partly in the 105th volume of the *Schriften des Vereins für Sozialpolitik*, and in Heymann's *Die gemischten Werke im deutschen Grosseisengewerbe*, of which Mr. Walker had no knowledge, and the history of the last two years, which opened a new era for the combinations, in spite of the fact that the contract of the coal syndicate runs until 1915, have proved that the ownership of the coal mines is becoming more and more a *conditio sine qua non* for the large iron mills in Germany, as well as in this country.

Mr. Walker's treatment of the labor question is not quite satisfactory, and is entirely too optimistic as the persistent complaints of the laborer and the recent struggle in the Ruhr District have clearly shown.

THEODOR VOGLESTEIN.

*Munich, Germany.*



# The Activities of Civic Organizations for Municipal Improvement in the United States

A SYMPOSIUM

## INTRODUCTION.—THE CO-ORDINATION OF CIVIC EFFORT

By Clinton Rogers Woodruff, Esq.

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Two years ago, in an article in "The Annals," entitled, "The Nationalization of Municipal Movements," I described the work of the National Municipal League, the American Society of Municipal Improvement, the League of American Municipalities, the American Park and Outdoor Art Association and of the American League for Civic Improvement, five organizations busily engaged in stimulating and educating public interest in various phases of the municipal problem and in providing ways and means for its solution. The article, after describing the objects and purposes of these bodies, concluded with this paragraph: "The suggestion has been made that there should be a closer co-operation between these several bodies, and perhaps federation, so that any possible duplication of effort may be avoided, at the same time insuring an increase of efficiency and a more complete co-ordination of activity. As several of the organizations appeal to different constituencies and pursue different lines, it is doubtful whether the time is ripe for so radical a step as federation, but the suggestion of a permanent secretary, to serve all five bodies and to be made a centre of municipal endeavor in the United States, is a feasible step which can and should be undertaken without delay."

Much greater progress toward co-ordination of effort and practical co-operation has been accomplished during the intervening two years than was at that time thought possible. The American Park and Outdoor Art Association and the American League for Civic Improvement, which were devoting their attention and energies to substantially similar phases of the civic problem, although approaching them along somewhat different lines, have been merged into one strong organization, under the name of the "American Civic Association." It represents not only the combination or merger of the two older societies, but a new element of influence and activity. Moreover, since the article was written there has been formed a working committee or clearing

house, known as the "Alliance of Civic Organizations," having for its express purpose the bringing into closer communication and co-operation the general organizations interested in municipal and civic affairs. The alliance, although organized a year ago, has only recently begun to take active steps to carry out the purpose of its formation, the first secretary elected having been unable to continue the work.

According to its constitution, the alliance shall be composed of "organizations having for an object the improvement of political, educational, artistic, sanitary, material or moral conditions in American cities." Its purpose is declared to be: "To facilitate the exchange, accumulation and distribution of pertinent information, to promote a more complete understanding and co-operation among its members and to assist them in increasing influence and efficiency and avoiding any unnecessary duplication or overlapping of their respective lines of work." The alliance is controlled and directed by trustees, elected or appointed by the associations belonging to it, each of such associations electing or appointing three trustees. Thus far the organizations represented in the alliance are: The National Municipal League, the League of American Municipalities, the American Civic Association, the Conference of Eastern Public Education Associations and the Architectural League of America. Power is given by the constitution to admit national and general organizations to membership, and to admit local organizations and individuals as associate or contributing members or subscribers, but such local organizations or individuals shall have no voting or governing powers.

One of the duties of the secretary will be to obtain reports and information from each association for transmission to all the members, either in full or in the form of abstracts or summaries or bulletins; another duty will be to prepare and furnish for general publication such information as may accord with and promote the purposes of the alliance. He is also expected to make suggestions as to ways and means for promoting the objects and purposes of the various organizations represented.

From this brief description of the objects and purposes of the alliance, and of the powers of the board of trustees, and of the duties of the secretary, it will be seen that there has been established what amounts, for all practical purposes, to a clearing house for municipal and civic bodies.

The need for such a clearing house must be obvious to the most casual observer. During the decade 1894 to 1904 there was a great multiplication of organizations for municipal and civic reform. Although pursuing various lines of activity, in many instances their efforts overlapped. Duplication was frequent, and only the sincerity of interest on the part of those in charge of the work prevented friction. Just as in banking, clearing houses have become essential, so in the field of civic endeavor a civic clearing house has become essential, and the alliance is the outcome. Just how effectively the alliance will meet the requirements of the situation is yet to be demonstrated, but its secretary, Frederick S. Hall, is a man of resource, deeply interested in the work and thoroughly convinced of its need. Moreover, his connection with the City Club of New York, of which he is the assistant secretary, places him in a position where he can secure the assistance and

co-operation of the various activities which centre in that institution. Altogether a better understanding exists between all the agencies working for local improvement throughout the country as a result of the agitation, which was begun as far back as 1900 by the National Municipal League and continued by the American Park and Outdoor Art Association at its meeting in Boston, in 1902.

"The Annals" article of two years ago was substantially a report prepared for the use of the Executive Committee of the National Municipal League in considering the question of closer relationship with similar bodies. The idea was taken up by the American Park and Outdoor Art Association at its Boston meeting, one whole session being devoted to addresses by representatives of the various bodies. As a result, a committee was appointed which led eventually to the formation of the alliance. At the National Municipal League meeting, held in Detroit in 1903, the subject of the "federation of civic forces" was presented by J. Horace McFarland, representing the American League for Civic Improvement; Charles Mulford Robinson, representing the American Park and Outdoor Art Association; Charles Richardson, representing the National Municipal League, and Charles Carroll Brown, representing the American Society of Municipal Improvement, and the movement formally indorsed and authorized.

As the secretary of the National Municipal League, in his annual review for 1904, entitled, "A Year's Disclosure and Development," said: "Just as the National Municipal League was needed to bring into harmonious and effective co-operation for exchange of opinions and the formulation of plans of those who were and are interested in the highly important political, administrative and educational phases of the municipal problem, so now there is a need for effective co-ordination of all the various bodies at work in various parts of the same field." Another important movement had its genesis at the Boston meeting of the American Park and Outdoor Art Association, and that was the merger of that organization with the American League for Civic Improvement, the final consummation of which is described in the article attached to this paper on the American Civic Association.

"Civic Day" at St. Louis, October 6, 1904, assisted in bringing about not only a clearer understanding of the work of each of the organizations there represented, but a more harmonious co-operation among the workers.

To illustrate what is being done in the way of municipal and civic improvement, the representatives of the various national and general organizations now represented or likely to be represented in the near future in the alliance have been asked to prepare a statement of the scope of their activities and accomplishments. These constitute a most interesting and important exhibit of forward work, and should fill the hearts of those who are giving time, thought and attention to the solution of municipal problems with high hope and encouragement. The past achievements of these bodies and their present prospects justify the expectation that the future will see a very rapid development of enlightened, educated public opinion on municipal questions.



THE NATIONAL MUNICIPAL LEAGUE<sup>1</sup>

BY CLINTON ROGERS WOODRUFF, ESQ., Secretary.

Organized in May, 1894, the National Municipal League has carefully studied the municipal problem from various points of view. It has striven to arouse a wider and a deeper interest in city affairs among the people of the United States. It has sought to learn the cause of present evils and to suggest ways and means for their correction. Through its annual conferences it enables the workers in behalf of municipal betterment to come into personal touch and exchange views. At the Chicago meeting there was one round table conference of nearly five hours' duration, participated in by forty representatives of leading local bodies. Through its active committees the League has brought together groups of acknowledged experts and public men of experience, who have formulated reports of great value to students and administrators. The constant and increasing use of these reports is the surest test of their value. Through its executive officers the League is in constant touch with local and national movements concerned with municipal questions, supplying literature, answering inquiries, suggesting plans, ways and means, and co-ordinating the forces making for municipal improvement constitute their everyday duties and activities. The volumes published by the League are in continuous use in the libraries, among students, administrators and public-spirited citizens. They constitute a municipal literature of importance and usefulness.

In addition to the annual volumes the League issues occasional literature in the shape of leaflets, pamphlets and newspaper articles which has been influential in creating a more general interest in municipal questions. One series of articles was reproduced in a list of papers with a combined circulation of 3,000,000.

The framework of government of our cities needs readjustment to modern conditions. The movement for charter reform is the result. What should our cities do to meet the new conditions and eliminate the existing evils? The Municipal Program is the answer. It is a substantial volume of 246 pages, published by the Macmillan Company. It represents two years' hard and persistent effort on the part of experts in municipal work. It has been praised by discriminating critics and used by every constitutional convention which has been held since it was published.

Dr. Delos F. Wilcox, author of *The American City*, in an article on the Program thus reviews its use: "It has nowhere been enacted into law as a whole, but its influence has been felt practically everywhere 'under the flag' that charters have been framed, constitutions revised or municipal reform agitated. It was published in full in Honolulu for the benefit of the Hawaiian

<sup>1</sup> The Officers of the National Municipal League for 1904-5 are: President, Charles J. Bonaparte, Baltimore; 1st Vice-President, Charles Richardson, Philadelphia; 2nd Vice-President, Samuel B. Capen, Boston; 3rd Vice-President, Thomas N. Strong, Portland, Oregon; 4th Vice-President, Dr. H. Dickinson Bruns, New Orleans, La.; 5th Vice-President, Edmund J. James, University of Illinois, Champaign, Ill.; Secretary, Clinton Rogers Woodruff, North American Building, Philadelphia; Treasurer, George Burnham, Jr., Philadelphia.

Legislature. It was used by the Havana Charter Commission and by the Porto Rican and Philippine Commissions. It has left marked traces in the new constitutions of Virginia and Alabama, and has formed the basis for a sweeping amendment to the Colorado Constitution. The Charter Commission of Portland, Ore., used it. The Charter Revision Commission of New York City adopted some of its provisions. The Duluth and St. Paul charters are in line with it in important respects. It has formed the basis for agitation for charter reform in Wisconsin, Minnesota, Michigan, Delaware, and doubtless many other states. Its experience in Ohio, however, has been unfortunate. The Municipal Code Commission in that state was at work at the time of the Columbus Conference for Good City Government, at which the program was adopted. Perhaps on account of their proximity, the Commissioners absorbed so many reform ideas that their code was rejected by the Ohio politicians."

The accounts of American cities are, as a rule, as hopelessly complicated and involved as are their charters. In 1900, at Milwaukee, a committee was authorized to report "such methods or systems of municipal accounting and collection of municipal statistics as it may find to be most advisable." How well this committee, which is still at work, has discharged the duties thus assigned to it, may be gathered from the following statement from Professor F. A. Cleveland, of Haskins & Sells, and of the University of the City of New York: "For guidance they have gone to the charters and organic laws. They have also availed themselves of the results of research of political scientists, and of the experience of professional accountants and officers of municipal control. Each result has thus been brought to a critical test. So useful were the schedules of classification thus formulated that, from the date of their first publication, they have been utilized by cities attempting to restate their reports. In fact, the progress of the work of the committee may be traced in the new classification from time to time adopted by municipalities. To-day there are no less than eighty cities whose financial statements bear the stamp of the work of the League; and the United States census officers have made use of them in the collection and classification of municipal statistics. At the last conference of the League it was thought the success of this part of the work of the committee warranted an enlargement of the scope of its labor. The committee was therefore continued and instructed to report in outline a complete system of municipal accounts and reports." The committee is composed of Dr. Edward M. Hartwell, Chairman, City Statistician of Boston and a group of practical accountants, city officials, state examiners and well-known students.

The education of coming generations is essential to steady and substantial improvement. This fact has been fully appreciated by the League and no small part of its work has been devoted to purely educational work. In 1900, at Milwaukee, a committee, with the late President Thomas M. Drown, of Lehigh University, as Chairman, was appointed to inquire as to the amount of instruction given in colleges and universities and to bring the necessity for such instruction to the attention of the authorities in charge of these institutions. Two reports were prepared and sent to every college in the

country. They have stirred up interest. They have supplied outlines, syllabi and practical directions. They have resulted in the introduction of numerous courses. At Detroit, in 1903, a new committee was authorized to carry on the work among the secondary schools of the country, and it is now at work under the chairmanship of Dr. William H. Maxwell, Superintendent of the Schools of New York. The committee is made up of a distinguished group of educators, including college presidents, superintendents and teachers.

Nomination reform is a burning question in every state and city in the Union. How candidates for municipal elective offices shall be nominated is a fundamentally important question. This is the problem the League's committee on the subject, appointed at Boston in 1901, has set itself to study. It is going about its work very much as the Municipal Program Committee did, and equally fruitful results are to be expected. Horace E. Deming, of New York, is Chairman of this committee.

Municipal taxation is closely associated in importance and relative value with the question of uniform accounting and statistics. To supplement the work already done by the League along these lines and to co-ordinate the work done in behalf of improved methods of municipal taxation by various local bodies throughout the country, the League at its Chicago meeting in 1904 authorized a committee "to consider what changes may be necessary and desirable in the constitutions and laws of the various states, and to make a report setting forth the general principles which should govern such amendments." Lawson Purdy, secretary of the New York Tax Reform Association, is chairman of this committee.

At Chicago the appointment of a committee was authorized to include those actually conducting courses in municipal government, to give to each the benefit of the others' experience and to secure greater co-ordination and unity of effort. The work of this committee will supplement the work done by President Drown's committee of two years ago and carry it to a logical and effective conclusion. Professor L. S. Rowe, of the University of Pennsylvania, has been made Chairman of this Committee on the Co-ordination of Instruction in Municipal Government.

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## THE AMERICAN SOCIETY OF MUNICIPAL IMPROVEMENTS<sup>2</sup>

PROF. A. PRESCOTT FOLWELL, President.

This society was organized in Buffalo, N. Y., September 19, 1894, by about sixty representatives of seventeen cities, who responded to an invitation issued by M. J. Murphy, Street Commissioner of St. Louis, who was elected the first president. The object of the society is stated in the constitution to be "to disseminate information and experience upon, and to

<sup>2</sup> The Officers of the American Society of Municipal Improvements, 1904-5: President, A. Prescott Folwell, Easton, Pa.; 1st Vice-President, Charles Carroll Brown, Indianapolis, Ind.; and Vice-President, John R. Barlow, Montreal, Canada; 3rd Vice-President, William B. Howe, Concord, N. H.; Secretary, George W. Tillson, Brooklyn, N. Y.; Treasurer, F. J. O'Brien, Oswego, N. Y.; Chairman Finance Committee, Alcide Chausse, Montreal, Canada.



promote the best methods to be employed in, the management of municipal departments and in the construction of municipal works, by means of annual conventions, the reading and discussion of papers upon municipal improvements, and by social and friendly intercourse at such conventions, and to circulate among its members, by means of an annual publication, the information thus obtained."

The society as organized contained twenty-nine (50 per cent.) members of boards of public works, eight (14 per cent.) mayors and councilmen, six (10 per cent.) city engineers, seven (12 per cent.) street and sewer commissioners, and a few others. The following year 34 per cent. of the members were members of boards of public works, 7 per cent. mayors and councilmen, 24 per cent. city engineers, 7 per cent. street and sewer commissioners, 7 per cent. water works officials, and 20 per cent. held other positions. In 1904, 16 per cent. were members of boards of public works, 6 per cent. mayors and councilmen, 22 per cent. city engineers, 19 per cent. other engineers in city service, 7 per cent. street and sewer commissioners, and 11 per cent. water works officials. Its presidents have been in succession a street commissioner, president of board of public works, president of board of administration, member of board of public works, engineer of highways, city engineer, president of board of public improvements, city engineer, city engineer, chairman of water committee and consulting municipal engineer. Canada and most of the States east of the Rockies are represented in the society's membership, and conventions have been held at Buffalo, Cincinnati, Chicago, Nashville, Washington, D. C., Toronto, Milwaukee, Niagara Falls, Rochester, Indianapolis and St. Louis. The next is to be held at Montreal, September 4th to 6th.

The original idea was that municipalities should become members, to be represented by such "engineer, officer or director" of "public or municipal department work" as should choose to join; such individuals to lose their eligibility and membership with their public office. This was found to be cumbersome and inconvenient, the first president losing his membership before the end of his term. Provision was made in 1895 that such might remain as associate members; and in 1900 that they might retain full membership. In the same year it was also made a provision of the constitution that "any person interested in municipal improvements or work as a contractor or contracting agent, or who is a manufacturer or dealer in municipal supplies may become an associate member who shall enjoy all the rights and privileges of full membership excepting that of holding office or voting." One of the advantages of this society has been that it is not composed entirely of engineers or of administrative officers, but that all classes who are interested in the physical improvement of cities exchange views at its conventions. The chief disadvantage under which it originally labored was the brief time for which many of its members retained their eligibility. Five years after its organization, when the above change in the constitution was made, but six of the original members remained; but more than a third of those who were then members are still so, although most of them no longer hold office.

To prevent the work of the society from being confined to one or two narrow channels and to secure proper attention to each of the several more important branches of municipal improvements, there is appointed each year by the president, committees on street paving, electric street lighting, sewerage and sanitation, water works and water supply, taxation and assessments, city government and legislation, disposition of garbage and street cleaning, review, and municipal franchises; while special committees on municipal data and statistics and park development and maintenance have been appointed for several years past. Each of these committees generally presents a report at each convention, and also obtains one or more papers on subjects within its field of activity. These conventions are by no means junketing trips, but are devoted by all members to earnest endeavors to obtain and contribute the greatest amount of benefit possible, through conversation with officials from all parts of the country, inspection of such improvements as the convention city has to show, and papers and discussions—the last frequently more interesting than the papers which occasioned them. Most of the members are men whose business it is to do things and who wish to learn how to do them better.

The extent to which different parts of the field have actually been covered by the society is indicated by the number of reports and papers presented by the various committees. There have been about fifty-five papers (25 per cent.) on street paving, eighteen (7 per cent.) on other street improvements, thirty-five (16 per cent.) on water works, thirty (14 per cent.) on sewerage, fifteen (7 per cent.) on garbage disposal and street cleaning, twelve (6 per cent.) on taxation and assessments, ten (5 per cent.) on street lighting, nine (4 per cent.) on health, eight (4 per cent.) on legislative subjects, six (3 per cent.) on parks, and twenty miscellaneous. Of the good accomplished by the society, the greater part cannot be designated specifically since it consists of the improved usefulness of its members to their municipalities both as officials and as citizens. The writer has in mind instances, however, of improvements in street paving and repair, in street lighting and in garbage disposal in certain cities which were the direct result of these meetings; and undoubtedly others could be learned of in every branch of municipal activity. Uniformity of municipal statistics, so longed for by every collector of municipal data for whatsoever purpose, has been greatly promoted by this society. In all branches the aim has been not so much to deal with such technical details as might better be considered by an engineering society and would differ with local conditions as to discuss the broader principles of more general application, and along this line it believes it can perform and is performing a work of great and permanent benefit to American municipalities.

## LEAGUE OF AMERICAN MUNICIPALITIES<sup>1</sup>

BY THE HON. JOHN MACVICAR, Secretary.

The objects of the organization known as the League of American Municipalities are:—

"The general improvement and facilitation of every branch of municipal administration by the following means: First, the perpetuation of the organization as an agency for the co-operation of American cities in the practical study of all questions pertaining to municipal administration; second, the holding of annual conventions for the discussion of contemporaneous municipal affairs; third, the establishment and maintenance of a central bureau of information for the collection and compilation and dissemination of statistics, reports of all kinds of information relative to municipal government."

It owes its origin to a call, signed by fifty mayors, headed by Samuel L. Black, then mayor of Columbus. In this call it was set forth that the purpose of the organization to be formed would be the "general improvement and facilitation of every branch of municipal administration, through the means of an interchange of experience and ideas of the city officials of the country." It was further stated that "true municipal reform must necessarily come from the work of those actually engaged in the duties of municipal administration, from a discussion of municipal problems by the men who are actually in the work and know its conditions." More than 1200 officials, representing about 150 cities, attended the first convention held at Columbus, Ohio, in September, 1897. Among those who figured prominently in the deliberations of this organization convention was the late Mayor Samuel M. Jones, of Toledo. In the constitution adopted, the objects of the league were clearly expressed in the words of the introductory paragraph of this article. The present secretary of the league was its first president. He was then mayor of Des Moines, Iowa. His successors in the presidential office have been Mayor Samuel L. Black, of Columbus; Mayor Henry V. Johnson, of Denver, Col.; Mayor J. A. Johnson, of Fargo, N. D.; Mayor Charles S. Ashley, of New Bedford, Mass.; Mayor J. Adger Smyth, of Charleston, S. C.; Mayor James M. Head, of Nashville, Tenn., and the present incumbent, Mayor William C. Crolius, of Joliet, Ill.

Among the well-known men who have been active in the work of the league, some as officers and others as members, are: James D. Phelan, who, for two terms, was mayor of San Francisco, and accomplished such remarkable reforms in that municipality; Samuel M. Jones, known the world

<sup>1</sup> The Officers of the League for 1904-5 are: President, William C. Crolius, Mayor of Joliet, Ill.; 1st Vice-President, R. G. Rhett, Mayor of Charleston, S. C.; and Vice-President, George Stewart Brown, Councilman of Baltimore, Md.; 3rd Vice-President, J. E. McCafferty, Councilman of Wilmington, Del.; Treasurer, William D. Morgan, Mayor of Georgetown, S. C.; Secretary, John MacVicar, Des Moines, Ia.; Trustees, Henry Bohl, President of the Board of Public Service of Columbus, O.; W. H. Baker, Mayor of Lockport, N. Y.; Louis Betz, Comptroller of St. Paul, Minn.; W. M. Drennen, Mayor of Birmingham, Ala.; M. A. Blouse, Mayor of Kokomo, Ind.; and Silas Cook, Mayor of East St. Louis, Ill.



over as "the Golden Rule" mayor of Toledo; Charles S. Ashley, who has the distinction of having been elected mayor of New Bedford, Mass., for fifteen successive terms; Josiah Quincy, rated as one of the best mayors Boston ever had; Carter H. Harrison, mayor of Chicago, and a prominent figure in national politics; the late Hazen S. Pingree, former mayor of Detroit, and later governor of Michigan; Thomas G. Hayes, whose work as mayor of Baltimore attracted widespread attention. The annual conventions of the league have been held in the following named cities: 1897, Columbus, O.; 1898, Detroit, Mich.; 1899, Syracuse, N. Y.; 1900, Charleston, S. C.; 1901, Jamestown, N. Y.; 1902, Grand Rapids, Mich.; 1903, Baltimore, Md.; 1904, St. Louis. Immediately after its organization the League of American Municipalities established a permanent bureau of information, in charge of the secretary. It is through this bureau that the organization does its most important and effective work, for this is the central office through which the interchange of experience and ideas is carried on all of the time. The work of the bureau is to collect and compile statistics, reports and all kinds of information relative to municipal government, and to answer all inquiries from officials of membership cities. Any member of the league may, at any time, call upon this bureau for information, and here he will find probably the most complete collection of municipal statements and reports in the United States. If the bureau has a call for any particular information which it has not on file it proceeds to secure that information. Nearly all of the regular and special reports of municipal departments and commissions throughout the country are promptly sent to this bureau of information, and the secretary and his assistant are constantly making special investigations and reports.

As a great part of the information collected by the Bureau of Information is of general interest to the league members, the executive committee several months ago decided to establish a regular monthly publication to be sent to all of the officials of membership cities. The first number of this publication, which is known as the *Bulletin of the League of American Municipalities*, appeared in September of the past year, and is a neatly printed 32-page magazine, and every issue contains a number of reports and articles of interest and value to city officials.

Through the assistance given by the league, the city of Baltimore enjoyed a great improvement in every one of its municipal departments during the administration of Mayor Thomas G. Hayes. Along toward the close of his remarkable administration Mayor Hayes, in a public speech, said: "I feel that if there has been any improvement in the administration of the government of the city of Baltimore, the League of American Municipalities is entitled to the credit for it, for I got my ideas from this league."

Hon. Henry Bohl, president of the Board of Public Service of Columbus, gives this evidence: "In the great work of improving our public water supply, our street lighting system, and our sewerage system, in which we are investing upwards of \$4,000,000, the League of American Municipalities has given us very valuable aid. At many stages of the work we have been able

to secure from the league information that has enabled us to plan better and save money."

The league is not a reform organization in the generally accepted meaning of the term. It is not committed for or against municipal ownership of public utilities or to any other definite policy, aiming only to collect and disseminate information in a reliable and impartial manner, to the end that the municipal official may be aided in intelligently performing the functions of his office. Membership in the league is held in the name of the cities, and the privileges of membership run to all of the individual officials of membership cities. At the present time nearly every city of importance in the United States and Canada is a member of the organization.

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#### THE AMERICAN CIVIC ASSOCIATION <sup>4</sup>

At the Boston meeting of the American Park and Outdoor Art Association, in August, 1902, a committee was appointed to consider the question of a closer affiliation and a possible merger with the American League for Civic Improvement. The latter, at its meeting at St. Paul, a few weeks later, took similar action. The two committees thus authorized met in joint session, discussed the whole question in all its phases, and reached the conclusion that merger was desirable and feasible. There were a great many interests involved, requiring thoughtful and careful consideration. The two committees reported to their respective bodies in 1903 their conclusions—that steps should be taken looking toward the consummation of the desired merger, but that final action should be postponed for another year, to assure harmonious, unanimous and effective action. The committees were enlarged by the addition of two members each, and the enlarged committees held a joint session in New York late in September, 1903. The action of this joint meeting was unanimously in favor of bringing about the merger of the two bodies at the meetings to be held by them in 1904, and further recommended: First, that the 1904 meetings of the two bodies be held jointly in St. Louis; second, that such publications as could be jointly issued should be so issued until the merger was actually accomplished; third, that there should be every possible interchange of courtesy and co-operation during the same period.

The American Park and Outdoor Art Association held a meeting on June 9, 1904, at St. Louis, at which the report of its committee was re-

<sup>4</sup>The Officers of the American Civic Association for 1904-5 are: President, J. Horace McFarland, Harrisburg, Pa.; 1st Vice-President, Clinton Rogers Woodruff, Philadelphia; Treasurer, William B. Howland, New York; General Vice-Presidents, George Foster Peabody, New York, Franklin MacVeagh, Chicago; Department Officers: Women's Outdoor Art League, Mrs. Chas. F. Millspaugh, Chicago; Parks and Public Reservations, G. A. Parker, Hartford, Conn.; Arts and Crafts, Mrs. M. F. Johnston, Richmond, Ind.; Children's Gardens, Dick J. Crosby, Washington; City Making, Frederick S. Lamb, New York; Outdoor Art, Warren H. Manning, Boston; Factory Betterment, Edwin L. Shuey, Dayton, Ohio; Libraries, Frank M. Crunden, St. Louis; Public Nuisances, Fred'k Law Olmstead, Brookline, Mass.; Public Recreation, Joseph Lee, Boston; Railroad Improvement, Mrs. A. E. McCrea, Chicago; Rural Improvements, O. C. Simonds, Chicago; School Extension, Charles Zueblin, Chicago; Press, Frank Chapin Bray, Chicago; Social Settlements, Mrs. Conde Hamlin, St. Paul.

ceived and approved, and liquidating trustees were appointed to carry out the recommendations of the committee. President Woodruff, of the association, appointed Warren H. Manning, of Boston; Charles Mulford Robinson, of Rochester; and Mrs. Charles F. Millsbaugh, of Chicago, as the association's trustees.

The American League for Civic Improvement held a meeting on the afternoon of June 9th, received and approved the report of its committee, and authorized the appointment of trustees to carry out the recommendations of the committee. President McFarland was made a trustee by direct vote of the league, and he appointed as his colleagues Mrs. William Christian, of Houston, Tex., and Clinton Rogers Woodruff, of Philadelphia. These trustees were authorized to adopt a name, to draft a constitution and a set of by-laws, and to select the officers to carry them into force and effect. On June 10, the two groups of trustees met in joint session, and in a prolonged meeting unanimously agreed upon a name, a constitution and by-laws, and a list of officers. The constitution and by-laws and the list of officers were submitted to a joint meeting of the association, and the league, on June 11, and by that joint meeting, unanimously approved, and thus merger under the name of the American Civic Association was formally effected.

The purpose of the new association thus formed was declared to be "the cultivation of higher ideals of civic life and beauty in America, the promotion of city, town and neighborhood improvement, the preservation and development of landscape, and the advancement of outdoor art."

A recent article on the work of the association made the following comment on the association and its work: "The observation of the Biblical writer that 'of the making of books there is no end,' is of equal force when applied to the making of organizations for the promotion of public good. Organized effort has so multiplied that the average man has been confused and burdened by the appeals for assistance and support which it makes. The man who makes one organization flourish where two grew before deserves to rank as a public benefactor; therefore, to twist somewhat the philosopher's reference to the propagation of grass: An organization which represents the consolidation of two organizations by the same token should have an especial appeal to the American public; and such a body is found in the American Civic Association. This association marks a distinct epoch in American development—the coming of the time when the reign of the almighty dollar is to be disputed by the love of beauty, which has heretofore remained dormant in the hearts of our people. For some years there were two bodies working in this field. That these organizations were able to live, with the names they bore, was a wonderful testimony to the vitality of the idea on which they were founded. A consolidation was effected at a joint meeting in St. Louis last spring. The American Civic Association, the result of this merger, represents about four hundred and eighty local improvement organizations."

The association proposes to agitate constantly the improvement in appearance of cities, towns, villages, farms and roadsides, and to bring a steady and direct influence to bear so that its force may be expended in a way to secure results. While much of the improvement sought can be ac-



complished only by the public authorities, as, for instance, improvement in the architecture of public buildings, the creation of civic centers, the acquisition of systems of parks, connected by parkways, yet the association urges action by individuals looking to improvement in the architecture of individual homes, the making of attractive back yards, as well as front yards, the general location of flower boxes at windows, particularly by contiguous householders, and the adoption of other similar ideas that are equally important. The association insists positively upon the æsthetic possibilities of railroad lines. It stands for the removal of artificial creations that destroy what there is of natural beauty, and particularly for the checking of obnoxious public advertising. It recognizes that the greatest improvement in a city can be made in the locality where there is the greatest ugliness and most disease-breeding squalor. The true beauty of a city depends on its worst locality as much as its best. The association's work has been divided into the following various departments: Women's Outdoor Art League, Parks, Arts and Crafts, Children's Gardens, City Making, Outdoor Art, Factory Betterment, Libraries, Public Nuisances, Public Recreation, Railroad Improvements, School Extension, Social Settlements, and the Press.

A number of short bulletins are being prepared on the general lines of the bulletins already issued which described the formation and resources of the association, also a series of department reports and pamphlets. It is being quickly realized that a body commanding the services of such men as Frederick Law Olmsted, G. A. Parker, Frederick S. Lamb, Warren H. Manning, O. C. Simonds, and a number of others who are actually writing the bulletins and reports of the association, is an organization which offers the fullest return for the membership dues and the efforts expended. The affiliated organizations pay a minimum of two dollars a year. The work is just beginning. The first object is to secure the co-operation of the 2300 local organizations that have been formed in the last few years throughout the country, and to obtain a large individual membership, so that every opportunity that presents itself may be accepted without fear of lack of funds. The association is carrying out an educational campaign through bulletins, leaflets, pamphlets, and a press bureau. Moreover, it is serving as a source of information and inspiration to workers all over the country, and to those seeking light. It is a clearing house for ideas, and through its departments is accumulating a mass of information and experience that will be of increasing value with each succeeding year.

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## THE AIMS AND WORK OF THE CONFERENCE OF PUBLIC EDUCATION ASSOCIATIONS<sup>a</sup>

BY MRS. WILLIAM E. D. SCOTT, Secretary

The state is looked to as the proper conservator of public education, and it is believed that the elaborate system which has been developed for

<sup>a</sup> Secretary, Conference of Eastern Public Education Associations.

the training of youth from the kindergarten through the university is wisely given over to its control. Like all other branches of our government, however, the successful administration of the public school system is largely dependent on interested and intelligent public opinion. Born of this necessity, the organizations variously known as public education associations, school associations, educational unions, and the committees on education, of clubs devoted to social betterment, have come into existence, and though working to the same end, widely differ in the exercise of their functions.

Until 1898 the few existing societies in the Eastern United States had known but little of each other, but in the spring of that year they came together at the call of the Public Education Association of New York and held an "experience meeting." The educational organizations of Boston, Brookline, New Haven, New York, Brooklyn, Buffalo, Yonkers, and Philadelphia sent delegates; the Association of Collegiate Alumnae was also represented. Papers were read, much discussion followed, the societies were stimulated to new effort; it was decided to form a permanent association, and the following year, at a meeting held in Philadelphia, under the auspices of the Civic Club, the "Conference of Eastern Public Education Associations" came into permanent existence.

Since 1899 the conference has met successively in Brookline, Newark, Baltimore, New Haven, and again in Philadelphia in 1904. While still giving place to reports of new work undertaken, each year some stimulating and suggestive expert opinion on a topic of special interest is provided for. To quote the secretary of the Philadelphia association, "the workers in these associations have recognized from the start that they are not educators, but only promoters; not persons speaking with the authority of experience, but modest representatives of the American public—representative in their belief in the value of education as in nothing else in this country, and striving to know from experts what is most worth promoting." The subjects considered follow: "The School as a Center of Neighborhood Life," "The Work of City and Village Education Societies," "The Value and Methods of Nature Study," "The School House as an Object Lesson in Utility and Beauty," with "School Architecture," "School Sanitation," "School Decoration," "School and Home Gardens" as sub-divisions; "School Hygiene" with the sub-topics "Medical Inspection of Schools," "Nurses in the Schools," "Playground Education," "Play Centers," "School Lighting," "Janitor Service." At the last meeting of the conference, in Philadelphia, the topic discussed was "The Relation of the Parent to the Child"; the importance of co-operation between home and school was urged by both teacher and parents who took part in the discussion; several well-known medical specialists of Philadelphia spoke on "The Physical Care of Children," indicated the physical defects so often overlooked, and explained the importance to the child of having the teacher notice and the parents give attention to these defects. "The Nose, Throat, and Ears," "The Eyes," "Deformities," and "General Hygiene" were the special topics presented, and in the discussion that followed many cases were related by teachers in which improved school work resulted from this co-operation between teacher and parent. A morning



was left free for the delegates to visit points of educational interest in Philadelphia, a classified list of which was given in the program. The medical inspection of schools and the two school gardens opened last year, under capable instructors, attracted particular notice. The Public Education Association has been the active force in securing the introduction into the public school system of both these important innovations.

The record of the year of the thirty affiliated societies showed increasing interest and opportunity. One may be given as fairly indicative of the spirit of all.

President M. Carey Thomas, of Bryn Mawr College, reported on the educational work of the Collegiate Alumnae, whose membership comprises three thousand women, and is representative of twenty-three colleges. In its various branches throughout the country the questions of school administration, school sanitation, the trained supervision of rural schools, better salaries for rural teachers, juvenile delinquency, compulsory education, are receiving attention; and the Collegiate Alumnae are in many places working in co-operation with other organizations of women. A strong movement has been started to secure the service of college graduates in our elementary schools, and thus ensure the degree of culture and training especially demanded of those who would reach the minds and hearts of little children. A few special spheres of usefulness which have borne the test of experience may serve as a guide to other workers: Nature study committees in cities can bring the country to children, many of whom have never seen a dandelion in bloom, by means of ferns, shrubs, and flowering plants, and branches of trees obtained from parks and country, exhibited in public school at "Flower Shows" in spring and autumn. These shows in New York, in which the Public Education Association takes part, are of such regular occurrence that the Board of Education has had special tables made which are sent from school to school to be used as needed.

The Women's Educational and Industrial Union of Rochester, N. Y., has also made its "Flower Show" an annual fact, and has done much for the improvement of school grounds. Co-operation with the Home Gardening Association of Cleveland, O., has been sought by many of the societies, and its methods followed. This association furnishes penny packages of seeds, with particular directions as to their care, and in 1904 distributed 181,000 packages to Cleveland school children and 75,000 packages to outside associations. So great has been the demand for the seeds that this year a much larger supply has been secured to meet the increasing calls of the schools and civic improvement associations in other cities. "Art committees" provide pictures, casts, and other decorative material for the schools. "Picture circulating committees" furnish groups of simply framed pictures, which are loaned to schools, and distributed by the teachers among the children, who take them to their homes, keep them for a week, and then exchange them for other pictures. "Portfolio committees" make use of pictures from magazines and of Perry and Cosmos pictures, which they mount on cardboard and supply to the schools as illustrative material. Twenty thousand and sixty-seven small unframed pictures, costing \$651.86, have been distributed



to 188 schools in the past six years by the portfolio committee of the New York Public Education Association. Music committees offer young people's concerts, organ recitals, open air concerts, and in New York recently gave a series of Sunday afternoon concerts in a public school building.

The City History Club of New York City, by means of its classes and excursions, has been instrumental in giving to large numbers of public school children a knowledge of local history. The club has a valuable collection of lantern slides available for exchange with other cities. A bulletin on school hygiene, embodying the valuable papers presented on that subject at its annual meetings, has been published by the conference, and may be had on application to the secretary. At the invitation of the Education Association of Richmond, Va., the conference of 1905 will be held in Richmond, where it will unite forces with the earnest body of men and women who are working to extend the influence and efficiency of the common schools of Virginia.

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## Local Civic Organizations

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### NEW YORK\*

1. THE CITY CLUB.
2. THE NEW YORK CIVIL SERVICE REFORM ASSOCIATION.
3. THE MERCHANTS' ASSOCIATION OF NEW YORK.
4. THE MUNICIPAL ART SOCIETY.
5. THE TRANSIT REFORM COMMITTEE OF ONE HUNDRED.
6. THE WEST END ASSOCIATION.
7. THE BROOKLYN LEAGUE.

By FREDERICK S. HALL, Assistant Secretary, City Club, New York.

New York is well organized along civic lines. Many of the organizations are temporary in their character and pass out of existence as soon as the objects for which the organizations were formed have been attained. There are, however, a score or more organizations of a more permanent character working in fields which, although overlapping somewhat, are in the main exclusive of each other. In addition to these organizations, whose activity extends to all parts of the Greater City, there are over fifty organiza-

\*For the facts included in this article in regard to the work of the civic organizations mentioned, I am indebted to the following gentlemen: Elliot H. Goodwin, Secretary of the Civil Service Reform Association; S. C. Mead, Secretary of the Merchants' Association; Calvin Tomkins, President of the Municipal Art Society; James S. Lehmaier, Chairman of the Executive Committee of the Transit Reform Committee of 100; John B. Creighton, Secretary of the Brooklyn League and George B. Sheppard, Secretary of the West End Association.

tions devoted to the interests of particular districts of the city. These are called by various names, but more often are known simply as "Boards of Trade" of the particular districts. They are, however, active politically on all questions pertaining to their particular districts.

The past year has been one of unusual activity among all of these organizations—a result of an increased civic interest. One result of this activity has been to demonstrate the need of joint action among these various organizations in matters which are of common interest. Such joint action was secured informally during the winter of 1903 and 1904. During the present winter, however, a more formal union has been entered into for securing this end, while not compromising the independence of the organizations affiliated. Among the special organizations devoted to civic work the City Club may be mentioned first, since it is one of the oldest and broadest in its purpose. This organization is unique in that it combines the social life of a club-house, equipped with all modern conveniences, with the civic work its members are endeavoring to carry on. Its success since its organization in 1892 has proved the wisdom of this policy. The purpose of the organization is "to aid in securing permanent good government for the city of New York." During the thirteen years of its existence the club has grown steadily in strength and influence by reason of the character of the men who constitute its members and the prestige it has secured from results accomplished. From its inception the club has kept a close watch upon the work of the State Legislature. A committee of lawyers has examined all bills which in any way affected the city's interests. Many of these bills which would have seriously injured the city have been defeated through the efforts of the club. At the present session of the Legislature this work has been very greatly extended. A unique system of legislative information has been established, by which immediate information is secured from Albany in regard to the progress of all bills introduced, as well as notifications of all hearings either before a committee of the Legislature, before the Governor, or before the Mayor of this city. It is believed that the publicity which this information makes possible will result in a very great reduction in the number of so-called "strike" bills which may be introduced.

During the 1904 session of the Legislature the club succeeded in saving the parks in the congested quarters of the city by defeating legislation which would have destroyed these breathing places. A bill which would have accomplished this by allowing the erection of school buildings in these parks had been passed by one branch of the State Legislature when the City Club took up the matter and secured the defeat of the bill against the opposition of the city administration. During the session 1904 also the club defeated measures which would have saddled upon the taxpayers of New York City an annual increase of over a million dollars in the salaries of city employees. This was accomplished by a careful examination of forty-seven different bills, most of which on their face did not indicate the extent of the raid they made upon the City Treasury. Later in 1904 the club effectively called attention to the alliance between the Western Union Telegraph Company

and the pool rooms in this city, and placed before the community the great moral issues involved in this question. Detectives were employed, who secured incontrovertible evidence that this company had regularly-established business relations with the pool room operators. An appeal was made directly to the men on the directorate of this company to discontinue this unlawful alliance; and this appeal was successful. The club recently defeated a proposition advanced by the Chief Engineer of the Rapid Transit Commission to extend a railroad through one of the most beautiful portions of Bronx Park. As a result of the public sentiment aroused on this subject the Commission has now placed itself on record as opposed to the construction of any railroad in any park in this city. Recently also the City Club has secured the co-operation of over two hundred and fifty of the most representative men in the city in uniting to create the so-called "Committee of Nine," which is now engaged, with the President of the City Club as its chairman, in an effort to discover a satisfactory solution for the conditions which have existed for years in the police force.

One of the most important phases of the club's work during the present winter is an attempt to secure the abolition of the so-called "Raines law hotels"—practically houses of assignation, artificially created by an unfortunate provision of the law of the State. The effect of the act which has been prepared by the City Club will be to leave the existing saloons as they are, but to remove entirely, in the great majority of cases, the ten-room attachments which are the source of so much crime in this and other cities. It is not anticipated that there will be any respectable opposition to this bill. There is an overwhelming sentiment in favor of it, not only from New York, but throughout the rural districts. The club is also beginning a campaign to secure the extension of the term of the Mayor of the city from two to four years. The necessity for this change in order to secure permanent reform in this city has become apparent. A two-year term does not allow a good administration sufficient time to make results of its administration evident, but there is time enough during a two-year term for such an administration to make enemies among those who fail to understand its purposes. A special committee has recently been appointed by the club to study the transit problem, which has become acute in this city through the failure of the city authorities to adopt any comprehensive plan. Pending the report of this committee, on the basis of which the club's program in this matter will be declared, the club is opposing the extension of elevated structures through the crowded quarters of the city.

MERCHANTS' ASSOCIATION.—During the year 1904 the attention of the Merchants' Association was occupied with a large number of matters directly affecting the interests of the City of New York. Among these the following may be mentioned:

The association strongly opposed the passage of the Dutchess County Water Bill excluding the city from sources of supply in that county, has preferred before the Mayor formal charges against the Aqueduct Commission, but which have resulted in a reorganization of the engineering staff of that body and a great acceleration of the work, and has, in co-operation with the



Commissioner of Water Supply, Gas and Electricity, promoted plans for an auxiliary water supply for fire purposes with adequate direct connection with private premises and adapted to the outside sprinkler system for protection from exterior fires. The association was one of the most prominent opponents of the Remsen East River Gas Bill and an important factor in securing its veto by the Governor. It has also been active in opposition to wasteful contracts by the city authorities in the matter of public lighting. After a full study of the subject, it has been active in endeavoring to secure legislative investigation of gas and electric lighting in the City of New York, having in view proper regulation and public control in the interest of consumers.

The association has moved with excellent results to lessening the delays incident to the removal of pavements and to secure their prompt replacement. A great number of defective places have been repaired consequent upon the complaint of the association. It has made several hundred complaints against hack drivers for overcharges, has secured refunds, caused the punishment of many drivers violating the cab ordinances, and noticeably lessened this public abuse. It has now under preparation a digest of the city ordinances and other laws of direct interest to citizens, to afford information to the latter as to their rights and duties. The association protested against and prevented the adoption of wasteful contracts proposed in connection with the construction of Blackwell's Island Bridge, thereby preventing a wrongful payment to the contractor of about \$125,000.

The commission appointed to investigate the laws' delays brought together a vast amount of data showing extreme abuses in condemnation proceedings and the appointment of referees and other court officials. These data were not included in the official report of the commission. It was therefore carefully collated and important schedules prepared and published by the Merchants' Association showing in the most striking form the extent of the abuses to which the city and the people of New York are subject as a result of the present law.

**THE MUNICIPAL ART SOCIETY OF NEW YORK.**—The Municipal Art Society, as its name implies, has for its purpose the securing of the material development of New York City along rational and artistic lines.

Largely through the instrumentality of this society the City Improvement Commission was appointed by Mayor McClellan early in the year and an appropriation secured for its use from the Board of Aldermen; that commission has made a report of great interest and value and which we expect will form the basis for a succeeding series of report which will tend to form a correct public opinion to influence the development plan of New York City. In order to emphasize the importance of planning in advance for the great public works and reorganizations which will be necessary to adapt the city to the conditons of its growth, this society has issued a series of bulletins, or committee reports, relating to the various phases of municipal development. These reports have been widely noticed in the press and have brought out favorable discussion, which has undoubtedly produced important results; particularly as regards rapid transit these ideas have been suggestive. No other organization up to the present time seems to have grasped the

significance of the development plan and the confusion and expense which must result if present methods are followed. The city has now reached a most critical period in its underground facilities, and it can determine the character of the service and the evolution of its systems of transportation, both for passengers, electricity and gas. With the exception of one subway already built, it is free to act as its interests dictate. In a few years, unless it shall continue to retain this degree of control, it will have lost it to private corporations, who will then control its subways as they now control the surface and elevated lines of transit. This, if accomplished, will be most unfortunate.

In the matter of advertising, the society has taken the ground that poster advertising should be prohibited on any public property of the city. This society was successful in a suit to restrain the Park Commissioner from maintaining advertisements on the fences around the new Public Library in process of construction at Fifth Avenue and Forty-second Street. It has clearly brought out the fact that the subways are virtually city streets through which only transit privileges have been granted for the time being. In response to its request the Mayor has recently ordered all signs, slot machines, and other encumbrances removed from the subway.

The society has instituted a series of lectures under the city's auspices which it is hoped to develop to larger proportions next year. Through its help the city has secured the erection of two bronze electroliers in Times Square, and it is endeavoring to bring about an annual appropriation by the city for purely artistic purposes. With this end in view it has secured from the outside a considerable appropriation for the purpose of decorating the Morris Park High School as an example of what can be accomplished in school buildings of the city.

THE NEW YORK CIVIL SERVICE REFORM ASSOCIATION has a membership of over eight hundred. It has been actively working to secure the establishment and proper enforcement of the competitive system of appointment to office, both in the State and in the city service, for the past twenty-seven years. The annual dues are \$5, and sustaining membership dues \$25. The office of the association is not only a general information bureau, but a general complaint bureau as well. The complaints received are carefully investigated and when found to be well grounded are presented to the proper authorities for action. Through its Law Committee the association has conducted many important suits to uphold the integrity of the Civil Service Law, and stands ready to take up new cases involving new and important principles. The other main divisions of its work may be briefly summarized as follows:

Every bill introduced into the New York Legislature is examined. Such of them as threaten to impair the integrity of the merit system are opposed by the association before the committees of the Legislature and before the Mayor or Governor, or both, as the case may be, by submission of briefs or by appearance and argument. Over forty such bills were so opposed during the session of 1903-4, and of these only three (all of minor importance) became laws.



The action of the association in regard to the request for the exemption of the Deputy Tax Commissioners in New York City during the McClellan administration is a good example of the work done under this head. These positions have been filled for a number of years through the medium of competitive examination. The Deputy Tax Commissioners perform the important duty of assessing both real and personal property in the first instance. The matter was fought out before the Municipal Commission, the Mayor and the State Commission, with the result that the State Commission finally decided in favor of the association's contention.

The association keeps careful watch on the administration of the law by the Municipal Commission. One of the most striking results of this constant vigilance was the removal by Mayor McClellan of the entire Civil Service Commission and a Park Commissioner of the Bronx on charges preferred by the association. Failing to secure any remedy from the commission, the association sent a letter to the Mayor setting forth the case in full. He promptly responded, stating that he had instituted an investigation, and asking that the association should assist the city administration in enforcing the Civil Service Law both in letter and in spirit. The result of the investigation convinced the Mayor of the soundness of the charges brought by the association, the removals were made and a new Commission (restricted, in accordance with the suggestions of the association, to three members) was appointed.

THE TRANSIT REFORM COMMITTEE OF ONE HUNDRED was organized on January 6, 1903. It was called into existence because the elevated and surface railroad corporations of this city had shown such an utter disregard of the comfort and rights of their passengers that the public generally manifested a sense of keen indignation; the overcrowding of the cars had become so intolerable as to be a menace to the safety of the passengers and an outrage upon their sense of decency. It had become apparent that the State Railroad Board, which was vested by law with the supervision and control of all the railroads within the State, was both incompetent and neglectful of its duties. Repeated efforts to make that board perform its functions and compel the railroad companies to obey the law had been of no avail, and those corporations not only failed to provide proper accommodations for the public but evaded and violated their statutory obligations. The situation upon the upper West Side became acute, and those who desired to continue their residence in that section were subjected to constantly increasing discomfort; many others who would otherwise have made their homes in that section found it to their advantage to leave the city altogether. The result was not only that citizens were deprived of the ordinary comforts of travel but property owners found their holdings decreasing in value. Out of these conditions the Committee was born.

The first conclusion arrived at as the result of the deliberations of the committee was that the transit situation of this city demonstrated not only the inefficiency of the State Railroad Commission and its neglect to deal with the city's needs, but required that the supervision of the city railroads should be lodged in a city board appointed by the Mayor, and in that way



more directly responsible to the people. The committee therefore drafted and secured the introduction in the Legislature of a bill providing for the creation of a local railroad commission. In support of this measure the Transit Reform Committee of One Hundred secured the co-operation of upwards of forty civic organizations in New York City, including the Board of Trade and Transportation, the Citizens' Union, the City Club, the West End Association, and the Women's Health Protective Association. The opposition to this bill, which has now been introduced in three successive Legislatures, has come mainly from the railroad corporations.

In February, 1903, the Law Committee of the Committee of One Hundred publicly declared that the railroad law required the street surface railroad companies in New York City operating under leases to give free transfers at their intersecting points under a penalty of \$50 for each refusal. A test case was prepared and submitted to the courts, resulting in a decision in favor of the committee's contention. Subsequently the entire question came up for review before the Court of Appeals, and a final decision was in November, 1904, secured from that court sustaining the public's right to free transfers. Meanwhile, and doubtless owing to the large number of penalty suits instituted by citizens, the railroad corporation controlling the various lines in this city increased its number of transfer points to a very material degree and immediately after the decision of the Court of Appeals enlarged the number of these points so that at the present time transfers are practically universal. The decision on the question of law involved is clear. It also appeared from the briefs submitted on behalf of the railroad company in the Court of Appeals that a decision sustaining the contentions of the committee would effectively bar a consolidation of the Brooklyn and Metropolitan syndicates of street surface railroads in that the price of giving transfers as a condition to the making of a lease between the two railroads would be too expensive for the companies.

During the two years of its existence the committee has kept a very careful watch upon legislation affecting street railroads in New York City. During these two years many bills, designed to revive expired franchises and to grant others in perpetuity, sometimes without compensation, and measures the object of which was either to deprive or to limit the citizens' right to free transfers have been introduced in the Legislature. The committee's opposition, reinforced by that of other organizations, whose co-operation the committee was able to secure, and the assistance of a practically united metropolitan press, resulted in the defeat of all these measures. The passage of only a few of them would have resulted in the loss of franchises to the city worth vast sums of money and the depriving of the public of their rights to transfers.

**THE WEST END ASSOCIATION.**—The existence of the West End Association dates from 1884. The object of the organization is the improvement of that part of New York City lying between Fifty-ninth and Manhattan Streets west of Eighth Avenue. This association has from the time of its formation interested itself in and taken action upon almost every question related to the material interests of the West End.

*The Boulevard:* This thoroughfare received a large share of attention from the organization of the association in 1884 to the time when it became part of Broadway, in 1899, appropriations being made at various times, in the early days, for the cleaning of cross-walks, etc. During the year 1900 a vigorous, though unsuccessful, effort was made to save the trees along the thoroughfare, the removal of which was rendered necessary by the construction of the Rapid Transit Subway. The trees planted by the contractor, upon the completion of the subway work, not having proved satisfactory, a movement has been begun looking to the planting of the Broadway parkways with shrubbery instead.

*Seventy-ninth Street Dump:* Every one who recalls the ash and garbage dump which for years stood at the foot of West Seventy-ninth Street must appreciate the improvement effected by its removal. This resulted after one of the longest and hardest fights ever made by the association. Begun early in 1891, it lasted until the passage of Chapter 900 of the Laws of 1895, whereby the establishment of any such nuisance on the water front of a park above Fifty-ninth Street is forbidden.

*New York and New Jersey Bridge:* The plan of the projectors of the scheme was to cross the Hudson River at a point which would begin the twenty-nine-mile "approach" planned for the New York end at the lower end of Riverside Park. The association fought this encroachment at every step, both here and in Congress, and at the end of five years, late in 1895, had the satisfaction of knowing that the bridge would not be allowed to land on the Park front.

*Amsterdam Avenue.* The effort to prevent the establishment of four tracks for cars operated by the underground trolley, which resulted in the passage of Chapter 371 of the Laws of 1899, and accomplished that result, was one that enlisted the services of a number of organizations on the West Side. It may safely be said that none contributed more, in time and money, and in the work of its members, than did the West End Association.

*Street Signs:* During the years 1902-03 a great deal of work was done by the committee having in charge the matter of procuring proper street signs, the results of which are manifest. This association is now represented in the Street Signing Conference of Municipal Organizations, formed in November, 1904, as a result of whose activity \$30,000 has been appropriated for erecting adequate signs in the city.

*Brooklyn League.*—During the last twelve months, as in the past six years, the Brooklyn League has been watchful of the larger interests of Brooklyn, and has identified itself with many civic enterprises, among which the following may be mentioned: 1, extension of Flatbush Avenue; 2, erection of an enlarged terminal at Manhattan End of the Brooklyn Bridge; 3, erection of a Municipal Building for Greater New York; 4, erection of sanitary stables for the Street Cleaning Department; 5, extension of the Manhattan approach to the Williamsburg bridge; 6, extension of the Williamsburg Bridge plaza to Grand Street; 7, extension of the subway system in Brooklyn; 8, protection of motormen in winter by vestibules on trolley cars; 9, consideration and approval of a local commission to examine the quality of gas;

10, examination of real property assessments, and reporting facts back to members; consideration and approval of the Bostwick Mortgage Tax Bill; 11, securing new Carnegie Libraries; 12, consideration of resolutions of local improvement boards which had lapsed with the change of administration; 13, consideration and approval of the new Erie Canal improvement; 14, protest against the removal of Deputy Tax Commissioners from the classified service; 15, special excursions to Bay Ridge Sewer; New York Subway; Williamsburg Bridge; Department of Correction on Riker's, Hart's, Randall's, and Blackwell's Islands; Department of Immigration on Ellis Island, and power houses and general equipment of the Brooklyn Rapid Transit System.

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#### PHILADELPHIA

1. CITIZENS' MUNICIPAL ASSOCIATION.
2. LAW AND ORDER SOCIETY.
3. THE MUNICIPAL LEAGUE.
4. THE COMMITTEE OF SEVENTY.

*The Citizens' Municipal Association* of Philadelphia was organized in April, 1886, and incorporated about a year later. It was composed of a number of prominent men, some of whom had been directly interested in the Committee of One Hundred, which was disbanded only a few months earlier. At one time the membership reached 300, but at present it is hardly half that number. The organization is supported by annual dues and by voluntary subscriptions. From the time of its incorporation until the present the association has held consistently to the policy set forth in its constitution: First, to secure a strict fulfillment by public officers of all their obligations to the city and to the citizens; and, secondly, to take no part in nominations or elections to public office. Its greatest effort was put forth when the streets were repaved, and to it the city owes not a little by way of gratitude for efficient service in calling to account, from time to time, contractors who were failing to fulfill the conditions imposed upon them. While this association performed valuable service in the past, it has unfortunately dropped out of public notice to a considerable degree.

*The Law and Order Society* was organized in the autumn of 1881, but it never received much public notice until about four years ago. In fact the existence of such a society was unknown to many until it began to take an active hand in the suppression of vice. Although organized for the express purpose of enforcing the laws against Sunday traffic of whatever nature, the laws relating to the liquor traffic, and to encourage and assist the authorities in the maintenance of these laws, it has not hesitated to go beyond this object. The latest annual report of the society shows that during twelve months 302 proprietors and inmates of "speakeasies" and bawdy houses have been arrested and indicted. Of those brought to trial some were sentenced to terms of imprisonment ranging from one month to two years. Upon their release many have become law-abiding citizens, while



others have fled the city. Eight hundred slot machines were burned in May of last year which had been taken from stores and resorts in various parts of the city. Through the efforts of the secretary there are but few public places in the city where gambling devices are in use. This society is maintained entirely by private subscription, the subscribers numbering approximately 600. One of the difficulties which the society has to face in its work is the lack of sufficient funds. During the last year it disbursed about twenty thousand dollars. A further obstacle to future success has just been presented in the Puhl bill, which was introduced into the legislature on Wednesday, February 22d, compelling unincorporated societies to file annual reports.

*The Municipal League* of Philadelphia was organized in the autumn of 1891, and played an important part in civic affairs until its activities were definitely suspended on November 28, 1904. Its organization consisted of a Board of Managers of about fifty members, Ward Committees in about half of the forty-two wards of the city, and Division Committees in the wards where its activities and influence were greatest. It had a nominal membership of about six thousand, and polled votes for its candidates varying from two thousand to fifty-eight thousand at different elections. Through its various committees it exercised a constant supervision over the work of the administrative offices of the city government, and especially sought to influence proposed legislation in City Councils. Its work was largely educational—creating and fostering a public sentiment in the city in favor of the absolute separation of municipal from state and national politics, in favor of the merit system, in opposition to the award of important public contracts without competition to favored political contractors, and in opposition to grants of valuable public franchises in perpetuity and without provision for regulation by and remuneration to the city. It took part in a number of elections for municipal officers and members of the Legislature, on some occasions endorsing the candidates of the regular parties and on others, when none of these could be recommended, nominating candidates of its own. It never succeeded in carrying a city election, but elected a number of ward officers, minority city officers, and members of the Legislature. Through its efforts the constitution of the state was amended in 1901 so as to make possible legislation providing for the personal registration of voters. It won important victories in various test cases brought in the courts. Among these were the one setting aside the Governor's attempted veto of the constitutional amendment just referred to, others placing a definite interpretation on sections of the election law, including the "lists of voters" case, and others resulting in the unseating of members of Councils interested in municipal contracts. Before terminating its activities it called a conference of prominent citizens, as a result of which a new body, the Committee of Seventy, has been formed, with somewhat different organization, with greater resources, but with similar aims.

*The Committee of Seventy.*—At the suggestion of the Municipal League a meeting of representative citizens was held at the Bourse on November 14, 1904. Here a Committee of Seven was selected to formulate some plan

looking toward the political improvement of the city. On the afternoon of December 19th another similar meeting was held, at which the report of this committee was submitted by its chairman and unanimously adopted. Acting upon this report a Committee of Seventy was appointed. The chairman was given power to select eight others who, with himself, were to act as an executive board with full powers. The members of this committee were chosen from different professions. There is a doctor, a lawyer, a banker, a druggist, president of a labor union and a merchant. An annual income of \$50,000 dollars for three years has been practically guaranteed by private subscription. The committee was organized in the first place with the intention of entering into municipal politics. But it was not intended that the new organization should be a political party, but rather an expression of the opinion of the better element in the city. After some hesitation the committee began work by endorsing a number of candidates already nominated by the two parties and also by making several independent nominations. The fight for clean politics once begun was carried on with considerable vigor in a number of the more independent wards, but without immediate success. There is, however, no tendency to give up hope, but rather a strong determination to bring to a successful conclusion all the purposes for which the committee was organized.

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## BOSTON

### THE GOOD GOVERNMENT ASSOCIATION

By EDMUND BILLINGS, ESQ., Secretary.

This Association was organized in the spring of 1903 by delegates from the seven following business organizations of this city: Boston Chamber of Commerce, Bar Association, Real Estate Exchange, Merchants' Association, Association Board of Trade, Fruit and Produce Exchange, New England Shoe and Leather Association. Its purpose is to awaken public interest in city affairs and to secure the election of aggressively honest and capable men for municipal office without regard to party affiliations. We have opened a ledger account with every man in public life in our municipality, and we propose to make public the records and qualifications of all such when the occasion requires.

In our first campaign in 1903 we published and sent to all voters of this city an impartial statement, the result of much labor and painstaking investigation, giving the political and private record of all of the candidates for our Common Council and for the Board of Aldermen. In the case of the Board of Aldermen, which is the most important chamber, we made recommendations to the voters based on the result of our investigations. We found that out of some thirty odd candidates for this board we were able to endorse nine men. The board consists of thirteen members. Of these nine men we succeeded in electing five. In the campaign of 1904 we adopted practically the same methods as in the former year. Out of

twenty-six candidates this last year who ran for the Board of Aldermen, we recommended nine men, five Republicans and four Democrats, and succeeded in electing six, coming within one of securing the majority of the board in the second year of our organization. In addition to this the Association by a variety of methods has stirred up the citizens to a more serious consideration of its political duties and has forced the Democratic and Republican parties alike to consider more carefully the character of the men whom they nominate for public office. This is the first time in the history of our city when all voters had the opportunity of knowing in detail the qualifications and standing of the men for whom they were called upon to vote.

The value of this kind of publicity has been shown in many ways. It is commonly accepted that one source of petty graft in the Board of Aldermen has been in the matter of the carriage bills which they were allowed to incur, presumably while in pursuance of their city duties. The first publication of these bills showed that the total amount spent by thirteen aldermen was \$13,273. This item occasioned a great deal of unfavorable comment, and the following year the same board spent only \$3,513, showing a saving of about \$10,000 in this one item. The value of the organization has been shown in various other ways. For example, in certain districts before the primaries this year, party leaders urged the nomination for important office of certain desirable men on the ground that if nominated against other candidates who were less worthy, they would receive the endorsement of the Good Government Association, thus practically ensuring their election.

In addition to this work, dealing directly with candidates, we have attempted to stir up that somewhat disreputable class of citizens sometimes called the "Stay-at-home-voter." Our city is divided into twenty-five wards, and each ward into seven, eight or nine precincts, giving us in all one hundred and ninety-four precincts. From last year's voting list we checked the names of the men who did not vote, and sent to them a direct personal appeal, urging them to vote and to vote right, and to use their influence with their neighbors and friends who also refrained from voting last year. With each letter was enclosed a list of the names of all the men in the given precinct who did not vote at the previous election. This work came in for a good deal of favorable notice from the press and undoubtedly resulted in stirring up many negligent voters. The whole basis of this movement lies in the belief, confidently held by the officers of the Association that a majority of the citizens of Boston wish to see honest and capable men in control of the city.

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## BALTIMORE

### THE REFORM LEAGUE

By SOLOMON BLUM, Johns Hopkins University.

This organization is noteworthy in many ways. Its existence for twenty years has been a continuous fight against political corruption in Baltimore



city. Its history may be divided into three periods: First, from its organization, in 1885 to 1895, a period of discouragement and non-success in its conflict against the firmly entrenched Baltimore city and state ring. Second, in 1895, when the League led the great public revolt against corruption, which elected the Republican candidate for Governor and United States Senator. Third, from 1895 to date, a period of activity and watchfulness, which has resulted in the growth of a higher civic spirit in the selection of men of better caliber for municipal offices. The League does its work through ward clubs composed of members of the League, and through standing committees appointed by the general executive board. These include a committee on legislation, which promotes beneficial and opposes harmful legislation, a committee to "Detect, expose, and, so far as possible, correct all abuses and frauds in the registration of voters, and conduct of elections in Baltimore city," a committee on public officials, whose duty shall be to investigate the antecedents, character and conduct of public officers, or candidates or applicants for offices in or from Baltimore city; the committee of publication informs the public, through the press and otherwise, of the views and principles of the League, and all other matters deemed advisable by the said committee.

The campaign of 1895 was the most important in the League's history. It is not too much to say that to its activity and efficiency in stirring public sentiment in the city and state was largely due the overthrow of the powerful Democratic organization, and the growth of a healthy independence in State, and more particularly in municipal politics.

The League is a strictly non-partisan body. In its ranks are many of the strongest men in the city of both parties. It investigates the records of all candidates for offices of both parties. Probably the most important work is its investigation of election officials. A few figures may prove instructive. From 1895 to 1899 it prevented the appointment or caused the removal of two supervisors of elections and over one hundred judges and clerks of election, added to which it has prosecuted and convicted about one hundred election offenders. In 1901 seventeen judges were removed, two allowed to resign and eleven charges dismissed. In the same year out of seven hundred clerks seven were deemed undesirable, and five excused from service. In 1902 out of a total of two thousand two hundred and fifty appointees only twelve were found to be unfit. The League watches the registration of voters, and has prepared a list of three thousand six hundred persons who are disqualified from voting. The League has not confined its activities solely to the regulating the machinery of elections. The campaign of 1895 was waged on the issue of ballot law reform, and an improved Australian Ballot law resulted. The Democrats upon returning to power have modified the law, with the purpose of disfranchising the negro. The organization has opposed this upon the ground that it is simply a political device to maintain one party in power. A Corrupt Practices act, drawn up by the League, whose purpose it is to limit election expenditure of candidates, has been up to the present unsuccessful. In Baltimore city, where its influence is more directly felt, it has investigated the various departments with

salutary results. An investigation of the school board resulted in the selection of a non-partisan board of high character. It has made an exhaustive investigation of the police and straw bail evils, and has broken up both these practices, and in many other ways it has helped to purify the police force. While the tangible results of the League's activities have been great, probably still greater is the influence it has upon the two great parties, the press and the ever-increasing independent vote. The candidates and appointees have improved since 1895, and while the League is watchful citizens will not have the excuse of ignorance to offer for electing corrupt candidates. The League serves as a nucleus for the independent vote of the city. It now has about five hundred members, and its average total expenditure is less than \$5,000 per year. It is one more example of the influence that a few men well-organized and actuated by an unselfish spirit may exert.

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### CLEVELAND

#### MUNICIPAL ASSOCIATION

By F. E. STEVENS, ESQ., Secretary.

The Municipal Association of Cleveland was organized in the winter of 1896. Since then it has continuously applied itself to the work prescribed at the time of its formation. The founder and for a number of years the leader in the work of the Association was Harry A. Garfield, who now occupies the Chair of Political Jurisprudence of Princeton University. The practical conduct of the organization is undertaken by a committee of ten representative business and professional men, known as the Executive Committee. A secretary employed by the committee gives his entire time to the details of the work. The plan of control by the Executive Committee is a result of experience. Formerly many subjects now dealt with solely by this committee were referred to a larger committee less intimately related to the activities of the Association. But experience developed the fact that expeditious, positive and aggressive action could best be secured through the agency of a small committee familiar with municipal conditions and with the political forces creating them.

More than to any other object the Association has directed its attention to elections affecting municipal administration. Those who have given most of time and thought to the enterprise are increasingly convinced that elections, both primary and general, must receive vigorous attention from those who seek to improve civic conditions. Efforts to thwart corruptionists and to repair the havoc wrought by maladministration produce but small returns unless these efforts are directed toward the source of the evil—the choosing of officials at the polls. The Association has at all times insisted that good city government can be secured only by the placing in office of upright and capable officials. Its rather crude though unmistakable shibboleth is—"Citizens who want good government must vote for good men." It has urged independent voting in municipal affairs. No attempt has been made to create a third or citizens' party, but the belief has been strength-

ened that thorough-going independence of choice between candidates on local tickets is entirely consistent with loyalty to the national parties, inasmuch as national issues have no bearing upon municipal affairs. Constant effort has been made to increase the number of independent voters. This effort has met with a considerable degree of success. No city in the country shows a greater percentage of voters of this class. In the last campaign out of a total vote of some 85,000 the differences between votes received by candidates on the same ticket aggregated many thousands, in one instance amounting to a difference of 38,000 votes between the head of the ticket and another candidate. The Association is quite generally given the credit for having aroused this spirit by the consistent activities of the past nine years. It is well within the limits of conservative statement to say that no notoriously corrupt or incompetent official can now secure re-election, and where the candidates must receive the votes of the entire city, as distinguished from ward elections, none can secure office whose reputations are notoriously bad. "Split tickets" are frequently elected, composed of those candidates who enjoy the greater popular confidence.

The method employed by the Association in influencing voters is simply the publication of facts concerning the candidates. It makes a diligent effort to secure reliable information as to the record, antecedents and fitness of the candidate, and then publishes in the newspapers and in pamphlets the result of its inquiries. In the last campaign seven bulletins of information and recommendation were published in the daily papers. Between campaigns the Association keeps itself informed as to the character of administration, the direction and purpose of expenditures and the records of officials. When occasion demands and opportunity permits corrective action is taken either by appeals to public opinion or by legal process. The ideal municipal government has not been secured and there is yet much room for advance. But it is believed that an analysis of the situation and a comparison with former conditions here and with present conditions in many other cities give a reasonable basis for the conviction that clean municipal government **is not impossible of attainment**, and that such a condition may be permanently **secured through enlightened public sentiment freed from a false allegiance to national parties in municipal affairs.**

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## BUFFALO

### MUNICIPAL LEAGUE.<sup>1</sup>

The League is composed of disinterested men who desire to secure better city conditions. To this end the League has secured and equipped permanent headquarters in Ellicott Square in charge of a competent man, adequately paid, who devotes his time to the work. The League has opened a ledger account with every man who is a city or county official, or who aspires to be one, in which a record of his public acts will be impartially kept, and prior to any election in which he is a can-

<sup>1</sup> President, Dr. Ernest Wende; Secretary, Porter R. Lee



didate this record will be published and made accessible to every voter. Party leaders will be asked to put up good men as candidates. Such candidates will receive the support of the League. Unworthy candidates the League will use its best efforts to defeat. If good men are not nominated by any party, the League will put up independent candidates. The acts of the legislative and administrative departments of the city will be carefully watched by the representative of the League for the purpose of furnishing information on which future action of the League may be determined. The League will investigate charges made on substantial authority against any public official, and will bring to justice, if possible, any official who has proved untrue to his oath of office. Every question that concerns the city's welfare will be regarded as proper matter for investigation and action on the part of the League.

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### CINCINNATI

#### CITIZENS MUNICIPAL PARTY.

By MAX B. MAY, ESQ., Cincinnati, Ohio.

In the spring of 1903 there was organized in the city of Cincinnati The Citizens' Municipal Party upon the platform, "Total separation of national and state and municipal elections." At that time the movement of the party met with disastrous defeat; nevertheless the organization continued its existence. Its executive committee kept alive the interest in the work, and its chairman, Elliott H. Pendleton, on his own behalf, has issued weekly since then a four-page paper, known as the *Citizen's Bulletin*, in which from week to week information regarding local conditions is set forth. The Citizens' party hoped that in the spring of 1904 it could accomplish something. The Ohio legislature, however, in the spring of 1904 abolished municipal elections throughout the State of Ohio, which since 1802 had been held separate and apart from all state and national elections, and provided that the same should be held in November, 1905; but that legislature also adopted a constitutional amendment which will be voted on in 1905, which, if ratified by the party, will again bring about the total separation of national, state and municipal elections. In the November, 1904, municipal elections, inasmuch as a new school code had been adopted and three members at large and twenty-four members from as many school districts were to be elected, the Citizens' Municipal party nominated a ticket at large and candidates in each school district. The Democratic party endorsed the Citizens' nominees at large in nearly every district. At the election, owing to the fact that it was presidential year, only one of the Citizens' candidates was successful. However, the very effective campaign made at that time not only awakened public sentiment, but fortunately has compelled the Republican machine to introduce measures for the betterment of the Cincinnati schools.

In November next there will be a municipal election, and at present it is the intention of the Citizens' party to place an independent ticket before

the voters. The Executive Committee of that party is now organizing ward clubs throughout the city, and it is to be hoped that by next fall a complete organization throughout the city will be effected. The *Citizens' Bulletin* continues to appear weekly, and while its circulation is not as large as the friends of good government desire it to be, still, its influence is growing. The Citizens' Municipal party has a permanent secretary and several assistant secretaries, who attend the meetings of the city council and other public bodies, and this in itself has had a salutary effect. Of course at this time it is utterly impossible to state just what has been actually accomplished by the Citizens' Municipal party. As far as securing the election of its candidates is concerned it has not succeeded, but it has already created sentiment in favor of good government; it has compelled the dominant machine to be more cautious in its actions; it has forced public bodies, such as the school board, to take immediate measures along the lines contended for by the Municipal party.

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#### NEW ORLEANS, LA.

1. PARK IMPROVEMENT ASSOCIATION.
2. PROGRESSIVE UNION.
3. COMMERCIAL EXCHANGES.

BY JAMES J. McLoughlin, Esq.

The traditions and system of government of New Orleans and of the State of Louisiana are so different from those of the rest of our country that one unacquainted with these factors is apt to misconstrue much that occurs. For centuries controlled by a system of government that conceived it the duty of the governing power to order as much as possible of the daily routine of the private lives of its subjects, indelible traces of those olden days still survive in our laws, manners and customs. Louisiana regulates the hours when meats and market supplies may be sold, provides public market houses, outside of which butchers and green grocers are forbidden to ply their avocations; restricts peddlers of eatables to certain hours of the afternoon to roam the streets; prescribes the weights of loaves of bread and makes it the duty of the Mayor to publish weekly price lists for the observance of bakers, and in a thousand ways impresses upon the mind of the citizen that the State will do his thinking for him. True, as the centuries pass, these swaddling clothes of the infant are gradually falling from the form of the man, but the weight of immemorial custom and usage is hard to shake off. Consequently the inhabitants of the State and city have not yet made of civic organizations that effective use that is of so much help to the progress of their neighbors.

Accustomed to having the government attend to everything—even yet the Governor of Louisiana appoints nearly all officials charged with the functions of government in country parishes, and he appoints absolutely the assessors whose duty it is to value all property for taxation—they are

not yet prepared to realize to the full their capacity of providing the ways and means of their own welfare.

Assuming the civic organization to be a body of citizens, responsible not at all, or, at best, only slightly, to the control of the government, and eliminating from our consideration such as are merely temporarily formed for some particular purpose, and of course excluding political clubs, and also excluding those societies devoted to charity and religious work, there remain those public associations that will form the subject of this review. Foremost among these are those organizations whose purpose it is to make more attractive the conditions of living: such as park associations, street commissions and the like. These usually take in charge the parks, squares and better streets of the city, and keep them in order, and improve them in many ways. Having charge of public property, they are generally created by municipal authority, and subservient thereto; but beyond a rather perfunctory oversight, the municipal body rarely takes any hand in their work.

We have two large public parks, one, Audubon Park, of 280 acres; the other City Park, of 216 acres, besides numerous smaller parks or squares. These are confided by the city to the care of commissions of citizens. These commissions are usually appointed by the mayor and confirmed by the city council. They have power to enforce the police ordinances of the city in their respective charges, and to administer the small sum of money that is annually devoted by the city to their streets or parks. Beyond that they rely upon subscriptions from residents and neighbors to supplement the city's appropriation. The two parks mentioned are managed by two private societies, who elect their own members, choose their own officers, and manage their own funds. By special legislative acts the care and custody of the parks are confided to the boards of commissioners selected by these societies, and the public funds appropriated to the maintenance of the parks are disbursed by these two societies. The city of New Orleans is compelled by law to pay over to each of these boards \$15,000 annually, and this forms the chief source of revenue. Upon occasions Audubon Park permits circuses to pitch their tents in the park, and a rental is paid therefor. Both parks receive rentals for privileges granted to flying-horses, carousals, refreshment stands and similar affairs. No liquors are sold in either park. These park commissioners have made of practically waste places fine gardens, landscapes, groves of trees, beautiful shrubbery and public resorts worthy of admiration. The Audubon Park commissioners are now engaged in carrying out a grand plan of surface improvement under directions of Mr. Olmsted, which will take ten years to complete, but which, when completed, will make Audubon Park one of the best in the country. The Horticultural Hall in this park is famed for its collection of tropical plants. The City Park was formerly an old plantation, and comprises within its limits what was once the most famous dueling ground in the South. Like its newer neighbor, Audubon Park, it boasts some of the most magnificent live oaks in Louisiana, hundreds of years old, draped with the funereal Spanish moss. Beyond the two parks mentioned New Orleans owns many smaller parks, and the



care of them, and of the more pretentious avenues, is turned over to commissions of citizens, as stated above. There are thirty-three of these commissions, and during 1904 the city appropriated to them \$18,038. Fifty miles of streets are under care of these little commissions, and with the funds received from the city, supplemented from private contributions, they keep the roadways clean, plant trees and shrubs, mow lawns, and, in some instances, remove garbage. Many of the wider avenues of New Orleans have in their centre a stretch of lawn, from ten to thirty feet wide, locally styled "neutral ground," and this stretch is kept neat and clean, and, in most cases, planted with palms and trees by the various commissions.

In addition to these civic organizations devoted to the physical betterment of the city, we have others that are devoted to its commercial progress. Chief among these is the Progressive Union, a body of some 1,500 merchants and professional men, who look after the task of placing the commercial and social advantages of New Orleans before prospective visitors and investors. This association entertains prominent visitors, exploits new enterprises, invites conventions and representative gatherings to hold their sessions in New Orleans, and, in general, acts as a medium through which outsiders can find out all that New Orleans wants outsiders to know about her advantages. The expenses of this work are met by an annual membership fee and by public subscriptions from time to time as occasion requires.

I am not so sure but that the commercial exchanges of the city should be embraced within the limits of any article treating of the city's civic organizations. In a city like New Orleans it is to these bodies the citizen naturally turns whenever any great public work is to be undertaken. They appoint committees and raise money for every public movement. If it is the question of securing a government appropriation for a public building, or the establishment of a dry dock, or the deepening of the mouth of the river, or the choice of good men for office in municipal elections—be it what it may, the Commercial Exchanges get together and lead the way. At the head of these, of course, stands the Cotton Exchange, with the wealth of the cotton trade behind it. A close corporation, organized to benefit its members, it is yet ever foremost in all movements for civic good. To its conservative action is due the comparative immunity from strikes of cotton handlers that prevails in New Orleans. The Board of Trade is an organization of produce merchants, grain dealers, dealers in breadstuffs, etc., and it takes really a wider interest in public affairs than does the Cotton Exchange. Its membership being more diverse, its interests are logically more numerous, and extend in various directions. When a prominent official, like the Secretary of the Treasury, visits New Orleans, it is usually the Board of Trade that feasts him. Commercially its influence is profound.

The other bodies, such as the Sugar Exchange, Real Estate Exchange, and the like, co-operate with the others in all civic movements, but the two first named are the leaders.

As mentioned in the opening, New Orleans is peculiarly constituted, and we have few of those organizations that are so numerous in sister

cities. As for library societies, good government clubs, etc., we have practically none, except such as are adjuncts to some religious, charitable or political body. Consequently it would appear that that public spirit which in other cities finds a manifestation in the existence of numerous societies for civic betterment is wanting in New Orleans; but, as a matter of fact, it does exist here, although the agencies of which it makes use are so different from those customarily employed elsewhere.

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**MILWAUKEE<sup>a</sup>**

**1. MUNICIPAL ASSOCIATION.**

**2. MUNICIPAL VOTERS' LEAGUE.**

By JOHN A. BUTLER, ESQ., Milwaukee, Wis.

In 1894 the Milwaukee Municipal Association was established with the idea that by drawing to itself a large membership it could hold the balance of power between the two great national parties in the city, and sufficiently determine their candidates and policies, to approximately insure non-partisan conditions, better candidates and better government. It is doubtful whether this policy was generally understood in the organization itself, but the somewhat experienced gentleman, who proposed the formation of the Association, believed in it then and still maintains his belief. The gradual development of what may be called the independent or thinking vote should make this position more tenable now than was possible twelve years ago. Nothing decisive ever came of this policy in Milwaukee, for reasons which may be readily understood. At the outset, when the association was supposed to have several thousand members on its list, editors and politicians promptly sought out its president for suggestions as to nominations. They were never heard of after it became known that the membership comprised only six or seven hundred voters. The organization was at first composed of a large body of leading citizens, but the moment it took up questions relating to franchise holding companies, and prominent men in other business enterprises discovered that their sales to public institutions were cut off by politicians, or that politics affected their interests unfavorably in some other way, by reason of their connection with it, its membership rapidly diminished. It, however, enjoyed the goodwill and approval of the community as a whole in an increased degree, and a small number of its members continued their efforts for five or six years, and were able to accomplish tangible results, which have undoubtedly proved of great value to the city. The intangible, but no less certain moral influence of the organization was, of course, constant, but it naturally cannot be measured or described. The Association was able to secure the insertion of civil service planks in the party platforms of both the leading national

<sup>a</sup> The first concrete work of reform in Milwaukee was accomplished by the establishment of the fire and police service on a strictly civil service reform basis. The results have been eminently satisfactory and are a source of justifiable local pride. The Civil Service Reform League by which this was accomplished is no longer active.

parties on various occasions, and finally succeeded in placing the entire working force, under the control of the Board of Public Works, on a merit basis, something like two thousand or twenty-five hundred men. To do this a bill was drafted by a competent committee. When it had been completed a circular, describing its character, was prepared and addressed to leading citizens of the principal cities of Wisconsin, asking their views and assistance. The response was immediate and emphatic, and came from nearly all of the forty-two leading cities of the State. Men of influence took hold cordially on all sides, and sent brief, pointed and interesting replies, endorsing the proposed civil service measure, though it applied to Milwaukee only. These replies were at once published in one of the leading Milwaukee daily papers, conspicuously covering several pages. They formed an interesting symposium, and were of course read by the people of the entire State. Subsequently, at the League's request, many of the gentlemen in the cities referred to showed great public spirit in circulating petitions in their respective communities, urging the passage of the bill. The number and extent of these petitions was almost unprecedented in the history of the State. In addition to this, special influence was brought to bear on legislators from their home districts, so that the entire State was for the moment brought into the service of the Association; and its own direct efforts to secure the passage of the bill were thus greatly reinforced. On another occasion, the city government of Milwaukee introduced a measure in the legislature legalizing levies exceeding the tax limit of fourteen mills on every dollar of assessed valuation, as far as past levies were concerned, and raising the limit by a mill and a half for the future. A large public meeting was at once held by the Association, and twenty-five leading citizens were induced to go before the legislative committee at Madison when the city officials presented their arguments. The representatives of the League were successful in protecting and making permanent the fourteen mill limit, and thus saved the taxpayers of Milwaukee many hundreds of thousands of dollars. The organization also succeeded with no very great effort in securing the passage of a Corrupt Practices Act of a limited character, the principal provision of which requires every candidate to make a sworn statement of the money expended in his campaign. This applies to all elections in the State. At about the same time the Association framed a bill establishing a non-partisan board or commission for Milwaukee, charged with the duty of appointing school directors to supervise and control the public schools of the city, and to examine, appoint, classify and promote, or remove teachers. The law which has done much to take the public schools out of politics is a vast improvement over the former system, but it does not require detailed description, as the writer gave a full account in the last ANNALS.<sup>9</sup> The last considerable effort of the organization was made in 1899. In 1896, when the general spirit of agitation was very strong in Milwaukee, the street railway company expressed a willingness to grant the people an unconditional four-cent fare. Nothing came of it, as nothing had come of many similar propositions. In 1899, as a result of much agitation, an "inspired"

<sup>9</sup>January, 1905, page 177.



ordinance was introduced in the city council, offering an immediate four-cent fare at certain hours for workingmen and a general four-cent fare at the expiration of five years; but for this was asked a grant of twelve new franchises of great value and a ten years' extension of existing franchises which would expire in 1924. The matter was very hotly discussed on all sides, and the Municipal Association called an indignation meeting denouncing the provisions of the contract involving ordinance. The meeting was representative and marked by strong and bitter feeling. A committee of thirty men was appointed to fight the ordinance in the council committees. Subsequently two other similar meetings were called by the Association, and were followed by great meetings in every ward in the city. Many members of the Association, who sympathized with the street railway company, deserted it, and politicians of the better order, who had refused to take any part in the first meeting, now monopolized the situation and precipitated a struggle without accomplishing their purpose, as the ordinance was passed, and is now in force. The previous general agitation, in which the Association had taken a leading part, undoubtedly secured the four-cent fare, but not at a price which satisfied patriotic citizens. From that time forth the Association gradually disintegrated and it no longer exists actively.

A little over a year ago a Municipal Voters' League was established in Milwaukee, which did good work at the last election, and brought about a large number of indictments of city officials by the Grand Jury, many of whom have already been convicted and either heavily fined or imprisoned. The League promises to become a strong and useful organization, but has thus far discovered no permanent remedy for the conditions which bring bad men to the front in city politics.

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#### PROVIDENCE

1. THE MUNICIPAL LEAGUE.
2. THE PUBLIC EDUCATION ASSOCIATION.
3. THE PUBLIC PARK ASSOCIATION.
4. THE CHAMBER OF COMMERCE.

By SYDNEY A. THOMAS, ESQ., Providence, R. I.

A review of the last few years discloses very little that has actually been accomplished by the civic associations of Providence. Some of them have had their influence, but in no case have they pushed to complete success any plan or measure for the public good. Their work has been chiefly either to protest against bad acts and policies, or to educate public sentiment in favor of good ones.

For a few years after its inception the Municipal League was powerful enough to send to the city council and to the State legislature a number of good men, but they were always in the minority in those bodies, and their

presence had at most a temporary sobering effect upon the machine. The League has also thrown its influence in favor of independent Democratic candidates for mayor, until it has become the custom for that party to put up its very best men for the office and for them to be elected. The League has done much good work in the way of public discussion, especially in protest against franchise grabs and in favor of free transfer tickets.

The Public Education Association, by calling attention to certain defects in the administration of the public schools, has brought about improvements indirectly, as indicated in my last letter. Last year the Association got a bill for a school commission of five members through the lower house of the State legislature, but it was pigeonholed in the Senate.<sup>10</sup>

The Public Park Association, recently organized, has begun a campaign of education to arouse public interest in a magnificent scheme for a metropolitan park system. It has begun well by securing the creation of a Metropolitan Park Commission, which is studying the question. The success of the Association thus far is mainly due to Mr. Henry A. Barker, a young man of thorough preparation for this work, of great energy and a quiet determination.

The Providence Chamber of Commerce, though not strictly a civic organization, yet has interested itself in works of public improvement, especially in a plan for a system of public docks along our great river fronts.

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#### KANSAS CITY

1. COMMERCIAL CLUB.
2. CIVIC LEAGUE,

By the HON. HENRY L. McCUNE, Kansas City, Mo.

Kansas City's two most important civic organizations are the Commercial Club and the Civic League. The former is primarily a commercial body, but has done so much for the cause of good government and for the improvement of civic conditions that it is clearly entitled to be classed as Kansas City's foremost civic organization. Organized in 1888, it has steadily grown in influence and prestige. Its membership is made up of heads of business houses and of professional men. Its motto is "Make Kansas City a good place to live in"; and its members are working steadily and effectively to this end. The Commercial Club works through committees. Its committee on state and national legislation considers and investigates all matters of state and national legislation likely to affect the city or its tributary territory. Its committee on municipal affairs studies and often originates measures calculated to improve civic conditions. These committees make reports to the club, where final and appropriate action is taken. The Commercial Club meets regularly every Tuesday night. It has handsome and commodious quarters, and the leading citizens of the city

<sup>10</sup> This is the Senate in which little towns of six hundred and eight hundred people have the same representation as the city of Providence, with one hundred and seventy-five thousand.

are regular attendants at its meetings. Among the many things the Commercial Club has advocated and helped to bring about may be mentioned municipal ownership of the water works, the granting of a franchise to the gas company, under which the price of gas was reduced one-third; the building of Kansas City's splendid system of parks and boulevards; the voting of bonds which has provided funds for the building of the public library, manual training school, city hospital, the improvement of the water works and the erection of Convention Hall. It has advocated civil service in all the administrative departments of the city government, and has helped to create a sentiment in favor of the new charter which has just been prepared and will shortly be submitted to the voters of the city for adoption. The influence of the Commercial Club over its members has been very marked, and through them it has been able to create broader and higher conceptions of the duties of citizenship in the community.

It has always been the policy of the Commercial Club to refuse the consideration of political questions. Its work has been on broad lines and its discussions and activities have been confined to questions entirely free of political or partisan savor. The adherence to this policy has undoubtedly been wise for this body, organized, as it is, not only for civic, but also for commercial and business purposes. But the inability of the Commercial Club to take hold of matters of great concern to the city, because advocated or opposed by one or the other of the political parties, has led to a realization of the need of an organization formed especially for this purpose—an organization to work for the nomination and election of worthy and competent men to local public office—a non-partisan organization able to cast its influence for the election of the best man irrespective of party. The need of such a body led to the organization three years ago of the Kansas City Civic League. The League was incorporated with fifty of Kansas City's leading citizens as its first board of directors. It now has a membership of about eight hundred voters, and is a wideawake, aggressive organization, wielding a powerful influence in all city and county elections. The central idea of the League as organized was to elect honest and competent men to office in the city and county. To accomplish this it was decided to examine into the records and character of the men who were offered for public office and issue a report to the public on the qualifications of such candidates regardless of their party affiliations. The Executive Committee of the League, composed of nine men, were to manage this investigation and approve the report as published. To make the report on candidates as fair and impartial as possible, a sub-committee was appointed, consisting of six men, three Democrats and three Republicans, who should sit as a sort of court or jury to pass upon the fitness of candidates and formulate the report. This report was first submitted to the Executive Committee of the League, who approved and published it. The League has issued four of these reports to date, viz., in the city election of April, 1902; the county election of November, 1902; the city election of April, 1904, and the county election of November, 1904. It is also the purpose of the League to watch the conduct of public officials as such, and at the expiration of their



terms, before their successors are nominated, to issue another or preliminary report covering their records as officials. If their records have been good the League urges their renomination, and if bad, their retirement.

The local newspapers, on the whole, have been loyal to the purpose of the League. They have published its reports in full, and have written strong editorials commending its work. In the spring election of 1904 the League printed thirty thousand copies of its report in circular form, to be distributed among the voters, in addition to the publication in newspapers. Again, in the county election in November, 1904, it had forty thousand copies printed for circulation. This furnished the voters with the League's recommendations in convenient forms to take with them and use at the polls. The number of voters who took these reports to their voting places at the last city election and followed the League's recommendations from top to bottom, was generally commented on by the watchers at the polls. At the city election last spring the League attempted an innovation in the matter of securing a fair election. The presence on the registration books of the names of hundreds of deceased or fictitious persons had made it possible for persons so disposed to vote under these names, and this system of fraudulent voting had become so prevalent in certain wards as to make it possible to thus absolutely control the result of city elections.

At the spring election of 1904 the League secured about seventy-five good citizens, among them some of the most prominent business men of the city, who agreed to give election day to the work of the League. They were assigned work in the less reputable districts of the city, and given instructions what to do. They were to watch for fraud and to assist the officers in securing an honest and fair election. They went to the polls in these districts, and remained until the polls closed at night. Their very presence had a most wholesome effect, and the election was conceded to have been the fairest held in the city for a number of years. Practical politicians admitted that the influence of these men about the polls was a revelation. The same plan was pursued at the fall election of 1904, with equally satisfactory results. Shortly before the last election a number of public-spirited citizens raised a fund of about \$2,000, and placed it at the disposal of the League to be used in suppressing and prosecuting election frauds. Four attorneys, two Democrats and two Republicans, were appointed by the League to take charge of this work. They were paid liberal retaining fees, and authorized to employ detectives and incur other necessary expenses in carrying on the work. The fact that these preparations were being made to prevent fraud was given much publicity by the newspapers, and much crooked work was undoubtedly prevented by the fear of detection and punishment. Nevertheless over twenty arrests were made for fraudulent voting and fifteen cases are now pending in the Criminal Court.

Prior to the last election the Civic League, by invitation of the election commissioners, superintended the selection of the election judges and clerks for the next two years. This work, involving as it did an investigation of the character of about one thousand men, was carefully and conscientiously done, and as a result the present judges and clerks of election are made up of

a better class of men than heretofore. In addition to practical reform work the Civic League has done much to educate the people of the city in methods of improving the administration of the city's business. It has sent representatives regularly to the meetings of the National Municipal League and of the National Civil Service League. It has brought to Kansas City some of the best students of municipal affairs to deliver addresses. It has advocated the adoption of civil service in the different departments of the city government, and recently prepared a civil service amendment to the city charter. It has favored a better system of municipal bookkeeping and a new city charter. Its agitation of these matters has helped to bring about the preparation of the new city charter, which has just been formulated by the board of freeholders, and which will soon be submitted to the voters for acceptance. This charter, if adopted, will give Kansas City true civil service, will take the control of the dram shops out of the hands of the police commissioners, and will give the city a thoroughly modern organic law adequate for its needs.

On the whole, civic conditions in Kansas City are decidedly encouraging. Unusual interest is being taken by the people in the various municipal problems that confront a young and rapidly growing city. The honest and efficient administration of the city's business has become decidedly popular and our public servants are vieing with each other in an endeavor to make their respective departments stand highest in point of efficiency. The credit for this condition is due in large measure to the work and influence of the Commercial Club and of the Civic League.

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#### SEATTLE

1. CIVIC UNION.
2. LOCAL IMPROVEMENT CLUBS.

By PROF. J. ALLEN SMITH, Washington University, Seattle.

The people of Seattle have up to the present time been too busy grappling with the material problems of a new and rapidly growing community, and too much absorbed in money-making to take much interest in political reforms. A start has been made in this direction, however, by the organization of the Civic Union of Seattle, which has been in existence little more than a year. The object of this association, briefly stated, is to secure honesty and efficiency in municipal and county government. Its membership is something over three hundred, including business, professional and laboring men, the latter class being largely represented. The organization has been somewhat handicapped through the fact that some of its members appear to have no other interest in its work than the desire to render it ineffective. A board of trustees of fifty-one members elected by the Union for three years choose the president, secretary and executive committee, and have full charge of the work and affairs of the Union. There is also a large committee known as the Information Committee, selected by the

members of the Union, and representative of the various sections of the city. No officeholder or candidate for any municipal or county office can serve on any committee of the Union.

The management of the prosecuting attorney's office in this county has during the past two years been the object of frequent criticism. The prosecuting attorney was a candidate last summer for renomination at the hands of his party. The Civic Union inquired into the fitness of the various candidates who were seeking the nomination of the dominant party, and published in the papers a report giving the results of their investigation. The reasons were given why certain candidates (including the prosecuting attorney himself) should not be nominated, and the facts bearing upon the fitness of the others stated. It had the effect of compelling the nomination of one of the candidates approved by the Union. An efficient reform organization of this sort could have rendered valuable service in the cause of good government by making a searching inquiry into the record of the various candidates nominated by the two political parties and by informing the public of their fitness or unfitness. This, however, was not done.

Mention should be made of another class of organizations which have been a potent factor in bettering certain local conditions. These are the Local Improvement Clubs, of which Seattle has more than twenty, representing as many districts of the city. These clubs have been organized to secure through collective effort needed public improvements, better sanitary conditions and more attention to the aesthetic needs of the city. In matters of general interest they act together through a conference committee, and by co-operating in this way are able to exert a marked influence upon the policy of the city in these matters.

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## DULUTH

1. TAX PAYERS LEAGUE.
2. COMMERCIAL CLUB.

By W. G. JOERNS.

In the "boom" days of the eighties and early nineties, waste, extravagance and jobbery flourished, and by far the largest part of Duluth's present general bonded debt is referable to that period. Her citizens, in the main, were too busy in the mad chase after the almighty dollar, and too blind to measure duty and municipal misrule, to exercise that diligence and care upon which municipal welfare, in a democracy, must ultimately rest.

The business reaction which followed gave time for thought, and reflection developed the sore spots and the remedial wealth. The first civic society, at least in the city's later day, had its inception at that time. It was largely academic. It did some good in bringing together kindred spirits and in giving impetus to the development of the reform idea, and passed away. Several similar attempts along formal lines were made with no definite result.



Finally, in 1895, an organization called the "Tax Payers' League" was created, the membership, composed of citizens generally, contributing each a nominal sum. The work was done by an executive committee of seven public-spirited citizens and a secretary. It accomplished results the effect of which are apparent to this day, though there is room for the serious reflection whether, with the recurrence of at least each ten-year period, there ought not to be a renewal of similar activities. The Tax Payers' League gave a more prominent share of its attention to country affairs, but the reflex effect upon municipal administration was likewise wholesome. Its activity resulted in the uncovering of grave abuses, in remedial action, and led, after the League itself had ceased to exist as a militant body, to some criminal convictions. The most effective result of its operations lay in the publicity that its activity engendered. Turning from individual delinquency to the more insidious but also far more detrimental predatory acts of special interests, the League encountered fatal opposition, and its last patriotic endeavor was its undoing, though the good it did lived after it and grew with time.

At least one organization for alleged civic purposes was organized or attempted to be organized in Duluth since the day of the Tax Payers' League. No tangible evidence of its practical efficacy, however, came to light. At the present time organized effort at citizen control is confined to the activity of what is styled the "Public Affairs Committee" of the Duluth Commercial Club. This club has a membership of over 1,000, and represents very liberally the business, and professional elements of the city. The club's activities cover a very wide field. The purpose of this Public Affairs Committee is to an important extent commercial and in the nature of an advertising bureau, and the composition of its membership, if open to criticism, might from some points of view be considered too "commercial" to do the very best work either as a guide for or supervisor of governmental action. Perhaps some of its conclusions on public questions may therefore lack that ultimate sanction which is more apt to be commanded by the more exclusive devotion and fitness for the special work. Be this as it may, however, this committee and the club back of it represent organization and the possibility of organized action, and to that extent must be reckoned with as a factor in shaping public opinion and official action.

But, more than upon any definite organization, Duluth may properly base her development along civic lines upon a well-defined and clear-sighted public spirit, which, in increasing volume, has characterized certain worthy elements of her population by no means confined to her so-called "business" or professional element. To these patriotic citizens and their watchfulness and intelligent activity, among other substantial reforms may be credited Duluth's successful activities in the operation of public utilities, the very satisfactory charter protection which the city enjoys under the beneficent constitutional provision in Minnesota for "home rule" charters, and, to an important extent, the quite wholesome general administration, regardless of partisan aspect, that has characterized the city proper for some years past.

## II. DEPARTMENT OF PHILANTHROPY, CHARITIES AND SOCIAL PROBLEMS.

**The Boston Children Friends' Society.**—A most interesting report on the care and placing of dependent children has just been published by the Boston Children's Friend Society. The report was made on the seventy-first anniversary of this society and it records 108 children in homes, free homes having been provided for 29. Up to a few years ago the society had a large house in Boston in which it kept children that were placed under its care, but through the influence of Mr. Sherman C. Kingsley, who was the secretary of the society up to a year ago, the management abandoned the institution and placed all the children in families, paying \$2 a week board for those under 12 years of age. The plan has been eminently successful, and the most prejudiced against the change have become convinced that it is the proper way to take care of children who have neither parents nor guardians able to do so. Parents and friends are required to pay for the maintenance of children if able, and are allowed to visit them constantly. Brothers and sisters are always kept together, and the management uses all its influence in an effort to reunite families if conditions can be made suitable. Children are only placed for adoption when there is no hope of re-establishing the family.

For the older boys and girls homes are found where they can earn their way while attending school, or wages are paid if they do not go to school. The society is the oldest organization in Boston caring for both boys and girls. It interests itself in needy and exposed children, and any one knowing of such a case of distress may refer it to the society, and it will receive prompt attention. The society receives no public aid and is supported by voluntary contributions. Its investigations are thorough and the standard of its homes very high. The moral character of every member of the family where a child is placed must be known. Where the child will sleep, eat and play is carefully investigated. Generally five out of every ten applications for children are rejected. Great care is taken in ascertaining the physical condition of the child when it is first brought under the supervision of the society. If there is any evidence of unsoundness, arrangements are made for the special oversight of the child by a doctor, dentist or oculist. During the past year the society returned 50 children to relatives, and 320 were brought to the society for help. It costs from \$100 to \$150 a year for the support of each child.

When the society closed the door of its institution and put all its children into family homes, under strict supervision, it was severely criticised by other organizations, but the plan has proven so successful and so beneficial to the children that other organizations and societies in Boston and Massachusetts are planning to place their children in family homes also. Institution life for

dependent children is doomed in Massachusetts, and no doubt the plan outlined above will become universal throughout the United States before many years have passed. The New Jersey State Board of Children's Guardians does its work in this way under a State law, and, like the Boston society, finds no trouble in securing high-class homes for its children.

The Associated Charities of Boston has just published its twenty-fifth annual report, and, in commenting upon the completion of a quarter of a century of work, reviews briefly the progress that has been made.

The record of the quarter century is one of which any society might well be proud. The crucial test of the record is to be found, not in the treasurer's balance sheet nor in the general secretary's tables of families dealt with, but in the general condition of the great city with regard to poverty and pauperism.

Perhaps the most significant single bit of evidence is to be found in the annual report of the Board of Overseers of the Poor for the year ending January 31, 1904. Figures there published show that while in the last twenty years the population of Boston has increased from 379,129 to 607,697, an increase of 228,568 persons, the number of families aided, so far from increasing in anything like the same proportion, has diminished from 4,075 to 2,346—a decrease of 1,729 families. Attention is also called by the overseers to the fact that in the same time the amount of aid per family has risen from \$16.93 in 1883 to \$29.92 in 1903.

The report states that, "while we have learned to rely more and more upon the fundamental correctness of our principles, we have learned to recognize more and more the value of and, indeed, the indispensable need of thoroughly trained workers. Our society was one of the first to introduce and develop the system of training agents systematically under competent instructors and under varying conditions of work before putting them in charge of district offices. Recently a beginning has been made in the instruction of friendly visitors. It is not expected that any large proportion of the visitors will ever take a course of systematic instruction, but it is hoped that the practical training of volunteers may become a more prominent part of our work, so that each district will contain some thoroughly trained volunteers who will undertake, with more prospect of success, the especially difficult cases, of which every conference has its due share. The training of agents adds appreciably to the expense of operating the society, but the directors believe that it adds vastly more to the efficiency of its work."

The particular feature of the Boston society which is the envy of other similar organizations is its success in securing a training for its volunteer visitors. The record of the year's work is summarized as follows:—

Total number of friendly visitors within the year ..... 1,055

#### DISTRICT WORK.

Families in the care of volunteer visitors of the society ..... 1,397  
Families cared for by visitors of other agencies co-operating with the  
society ..... 478  
Other families dealt with or worked for ..... 2,781



## CONFIDENTIAL EXCHANGE OF INFORMATION.

New families registered .....	3,538
Old families registered .....	6,190

**The Boys' and Girls' Aid Society of California.**—*The Thirty-first Annual Report.* The object of this charity is to rescue homeless, neglected or abused children of California. It also looks after juvenile offenders who are in danger of being imprisoned. It provides for such cases until suitable homes or employment and oversight are found for them. The society is supported by voluntary contributions, and is absolutely nonsectarian.

The society has been in the habit of giving the boys a six weeks' outing every summer, which has greatly benefited their physical and moral condition. The superintendent, Mr. Herbert W. Lewis, says it is no light undertaking to have seventy-five boys, gathered in from the streets of the city, in a camp where the intention is to have a good time and still keep the camp above criticism by its neighbors. The excellent reputation earned by the boys at Guerneville, where they camped last year, is evidence of their good conduct. The plan of sending out boys in relays has worked well, and a party of twenty-four boys, under the management of Mr. Westington, was sent to a ranch near the town of Sebastopol, to take the places of an equal number of boys of the South Park Settlement Association, who had been employed as berry pickers, and who returned to San Francisco at that time to be ready for the opening of the public schools. The party occupied the camp which had been vacated by the others and completed the work left by them. They also took a large contract on their own account and completed it satisfactorily. They assisted in gathering and curing the prunes and peaches on the ranch, then moved a few miles to another ranch, where they picked hops alongside a multitude of other pickers, and did as good work and cleared as much money as did any other similar party. They returned early in September, having earned \$438.

In the meantime the camp at Guerneville had been broken up and the party there had returned to San Francisco early in August. From among these boys another party of twenty-nine had been selected to go to the Santa Clara Valley to pick prunes, in the neighborhood where the first effort with a picking party had resulted so favorably the year before. The boys did excellent work and were in great demand. They picked over 200 tons of prunes and brought back over \$500 in money as proceeds of their work.

Every effort was made to cut down the expenses of both these working expeditions to the smallest possible number of cents per day per child. Each expedition was under the management of a single employee of the society. Neither had a sufficient equipment. In both, the boys did their own cooking, with the assistance of the man in charge. These things served to enlarge the net returns, but it was a decidedly strenuous time for both the boys and the men who had them in charge. Every one connected with both parties returned in perfect health, and the possibility of making such expeditions entirely successful on a large scale was demonstrated. Plans for the present summer and autumn will embrace arrangements for placing not less than ninety boys at

work in well-equipped camps provided with skillful overseers and each attended by a cook and a matron.

A plan was adopted of deducting from the earnings of each boy a sum per day sufficient in the aggregate to cover the cost of the incidental expenses of the expedition and the raw material of the food consumed. The work is all done by the piece (fruit picked by the box) and an accurate account kept of each boy's earnings, and this amount, less a deduction for expenses, as noted above, is paid to him upon his discharge from the institution, or is expended for his benefit, or paid to his legal guardian. Fifty-four per cent. of the gross earnings of the boys were paid to them and 46 per cent. absorbed in expenses, which did not include the salaries of the men in charge, these being borne by the society.

In addition to these annual summer outings the boys had a special marching permit, good in all parts of Golden Gate Park, had made free use of the playground and had, through the courtesy of the Park Commission, a special free, all-day use of everything in the children's quarter, together with lunch in the park dining-room.

The boys are systematically drilled in company formations and movements, which were adopted two years ago, and have proven well adapted to the purpose, being a combination of those used in the United States Infantry and the Marine Corps. They have been of great assistance in cultivating habits of attention and of prompt and exact obedience. They have also been very valuable in building up the physical condition of the boys.

The work in school has maintained a high grade of efficiency. The curriculum has been extended to include advanced arithmetic, United States history and physiology, thus furnishing additional facilities for the preparation of pupils for entering the high school. The work in all grades has been continuous, due to the longer terms in which boys are now retained, and therefore far more effective. The special needs of the neglected children have been met by individual attention by the teachers, and a number of those who have been out of school for from one to three years before their admission have made such progress as will soon render them able to take their places in classes in the public schools with boys of their own age.

At the beginning of the year there were fifty-two boys under commitments from the police courts of the city and county of San Francisco. For the maintenance and training of these the society receives the rate per month fixed by Section 1,388 of the Penal Code.

The year closes with sixty-three boys under commitment from the Superior Courts of four counties. The shortest term for which any of them has been placed in the institution is six months; a number are to remain until eighteen years of age, and others are with us for terms of from two to five years. These commitments give control of the child for the time specified, including the right to place out and to return to the institution any child who will probably be benefited by such action; and this right has been exercised, and committed boys have been sent to the homes of persons suitable and willing to receive them.

Mr. Lewis closes his admirable report with an appeal for support, as

follows: "Aiming to be supremely effective within its special sphere, the institution has many lines of activity which call for the expenditure of money, and it appeals for support, confident that investigation of its work will bring approval."

**A Model Jail Under Salaried Management.**—The Allegheny County jail, at Pittsburg, is one of the famous group of county buildings designed by Richardson, the great American architect. The jail shares the distinction with the two-and-a-half million dollar Frick office building, which adjoins it, of being thoroughly clean and sweet and well ventilated. The guests of the Pittsburg hotels might almost be envious of the superior sanitary attractions of the jail. Nominally it is under the control of the sheriff, who receives a salary of \$8,000 a year. Allegheny County has a population of about 1,000,000. The jail is actually administered by the warden, who is appointed by a prison board made up of the judges and the sheriff, and receives a salary of \$3,000 per annum. He has entire charge of hiring and discharging his deputies and prison help, subject only to the veto of the prison board. The bread and meat are contracted for by the prison board, but all other supplies are purchased by the warden, and none of the public officials have any speculative interest in the feeding of the prisoners. The average cost per day for the food for each prisoner last year was 5½ cents, and the average cost of maintenance for each prisoner per day, including salaries (\$25,681.67), water tax, natural gas and improvements, was 27.88 cents. The average number of prisoners per day was 366. The total number received during the year was 13,305, and the average number of days each prisoner served was 10.06.

The warden, Mr. E. Lewis, is a man of unusual intelligence and ability. He has made a study of the prison systems of the United States and has visited the principal prisons and jails for the purpose of acquiring information as to prison management. His report is a model of prison statistics, both as to expenditures and as to the age, nationality, offense, occupation and classification of the prisoners. His report may be summarized as follows:—

## CHARGES.

Crimes of violence .....	1,185
Burglary, larceny, embezzlement, forgery, fraud .....	1,863
Drunkenness .....	3,196
Disorderly conduct .....	2,323
Suspicious persons .....	1,022
Trespass .....	1,059
Vagrancy .....	880
Indecency, disorderly house, etc. ....	525
Desertion, nonsupport, neglect, etc. ....	341
Illegal liquor selling .....	154
Surety of the peace .....	167
Gambling .....	105
Violating city ordinance .....	140
Incorrigibility .....	84
Malicious mischief .....	80



Misdemeanor .....	49
Witness .....	56
Various .....	76
<hr/>	
Total .....	13,305

OCCUPATIONS.

Common laborers .....	7,100
Skilled laborers and mechanics .....	3,367
Drivers .....	672
Domestics .....	943
Miners .....	305
Merchants .....	100
Clerks, etc. ....	335
Peddlers .....	65
Schoolboys and girls .....	279
Professions .....	75
Various .....	64
<hr/>	
Total .....	13,305

The average age per prisoner was 30½ years, and of the 13,305 incarcerated during the year 930 were under 18 years of age. The nativity table shows:

American .....	8,405	Polish .....	569
Austrian .....	702	English .....	330
Italian .....	596	Russian .....	297
German .....	581	Hungarian .....	130
Slavish .....	333	Scotch .....	111
Irish .....	887		

And the rest various nationalities.

The married prisoners were 4,744 and the single 8,561. Only 1,972 prisoners could not read and write. The female prisoners numbered 1,091 and the colored prisoners 1,918.

The sheriff conducted seven executions during the year.

The report of the medical officer is also very interesting. He refers to the epidemic of smallpox of last July, as follows:—

"We beg leave to revert to the vaccination clause of our last report, where we have a showing of 4,496, or over one-third of the prisoners received during the year, vaccinated because of want of evidence of protection. This work was continued until late in July of last year, long after the epidemic of smallpox had subsided, reaching in the aggregate the enormous sum of 6,948 (a monthly average of 414), 519 of which had never been vaccinated. Nine-tenths of this number were negroes, mostly from the South, showing beyond doubt the source of the cause which led up to the loathsome pestilence that terrorized and brought death among our people for two years and cost our city and county thousands of dollars. To prevent a recurrence

of this condition, compulsory vaccination should be vigorously enforced, especially in and about our city where the population is vacillating and unsteady."

**British Conference on the Spread of Infectious Disease by Vagrants.**

—A conference of the representatives of twenty-six of the councils of the counties of England and Wales, fifty-three county boroughs and twenty-six metropolitan boroughs of the Metropolitan Asylums Board was held in London last November to take steps to prevent the spread of infectious disease by tramps and vagrants. Each unit of government was represented by its medical officer of health, as well as by magistrates, mayors and other public officers. Mr. Henry Jephson, the chairman of the Public Health Committee, presided. Dr. Armstrong, of Newcastle, reported that taking districts attacked by smallpox, having a population of 20,000, half the cases were traceable to vagrants. Other delegates reported that in Lancaster, in 1901, five districts were certainly infected by tramps, two probably infected and one district had four separate infections. In Northumberland smallpox was introduced no less than twenty-four times by tramps in twelve out of twenty-nine sanitary divisions of the county. The same testimony was given from Yorkshire, Derbyshire, Cheshire, Warrackshire, Essex, Sussex and other counties.

No such gathering of the public health authorities of the country has hitherto been held. The discussion was earnest, pointed and intensely practical, and resulted in the adoption of the following resolutions:—

(1) That this conference of urban and sanitary authorities of England and Wales recognizes the increasing amount of habitual vagrancy as the cause of widespread and disastrous consequences to the public health, and is of opinion that much more effective measures than are at present adopted should be taken for preventing the spread of infectious disease by vagrants and for effectually dealing with this great and growing danger.

(2) That means should be provided for the detention and isolation of any vagrant found wandering in a public place, if reasonably suspected of being liable to convey infectious disease.

(3) Parliamentary powers should be sought for the compulsory vaccination and revaccination of all vagrants unable to produce proof of being sufficiently protected against smallpox on entering casual wards or common lodging houses, who, in the opinion of the sanitary authority, have been exposed to the infection of smallpox, and also that sanitary authorities should have power to grant such compensation as they think necessary to persons vaccinated or revaccinated at their request who may be prevented on that account from work.

(4) It should be an offense to withhold information or make false statements to the sanitary authority in carrying out its powers with respect to the disease.

(5) That the Local Government Board should obtain powers to secure weekly returns of all cases of infectious disease from all central authorities throughout the country and circulate the same.

(6) That it is desirable that in districts comprising groups of counties

and county boroughs, intelligence bureaux should be established, to which information should be sent from sanitary authorities and workhouses in the district of persons of the wandering class who have been exposed to the infection of smallpox; and that a printed copy of such information should be distributed from the bureau to every sanitary authority and board of guardians in the districts, and that the expense of maintaining the bureau should be met by contributions from the county councils and county boroughs forming the district.

(8) That the local authority should have increased control over common lodging houses, their keepers and occupants. Thus the local authority should have power:—

(b) To detain and isolate persons exposed to infection and to disinfect them and their clothes.

(c) To temporarily close a common lodging house in whole or in part, compensation to be given to the keeper of the house.

(9) That the local authority should have power to order the keeper of a common lodging house in which there has been infectious disease to refuse fresh admissions for such time as may be required by the authority.

(10) That the local authority should be empowered to require medical examination and disinfection of all persons entering casual wards.

(13) (a) That the time has arrived when the Local Government Board should promote legislation for the establishment of labor bureaux in the areas of every county council and every county borough council.

(b) That this conference is also of opinion that it is desirable that a national voluntary agency should be formed for assisting *bona fide* working-men while traveling through the country in search of work, and that such agency should be worked on the same lines as the Inter-Cantonal Union, of Switzerland, for the relief of poor travelers.

(14) That the unemployed traveling *bona fide* in search of work, not being habitual vagrants, should not be treated as vagrants, but be assisted to obtain employment.

(15) That the time has arrived when the Local Government Board should promote legislation for the establishment of labor colonies for the compulsory detention of habitual vagrants until they have acquired power to work and self restraint.

**English Industrial Schools, 1870 to 1904.**—A most valuable and interesting report on British industrial schools has just been published by the London County Council. The report was prepared under the direction of the late school board for London, and reviews the whole history of the establishment of the industrial school system in England and the conditions which led up to it. The movement began as far back as 1835, in a discussion of remedial measures for the prevention of juvenile crime. It is interesting to note that the path of progress was prepared by private philanthropy, and that the present system is the direct outcome of the famous ragged schools of which Mrs. Browning sang with such pathos. The instigators of the movement were Miss Mary Carpenter, who opened her ragged school in Bristol early in the 40's, and Lord Shaftesbury, who founded the ragged schools in



London. Gradually they worked up a public sentiment, which in 1851 culminated in a conference in Birmingham of forty-five of the most representative people in the United Kingdom to consider the condition and treatment of the "perishing and dangerous" classes of children, with a view of pressing the necessity for legislative enactments. At that period the number of juveniles of the dangerous class in London alone amounted to 30,000. There existed dens of thieves of all ages, and particularly training schools for thieves and pickpockets, such as are described by Dickens in "Oliver Twist."

In 1852 the Government appointed a Committee of Inquiry, which resulted in the passing of the Industrial Schools Act in 1857, since which time further legislation was secured, as needed, up to 1870, when the Elementary Education Act was passed, which conferred on school boards the powers the prison authorities already possessed, of contributing to the establishment and maintenance of industrial schools.

In June, 1871, two industrial schools officers commenced work, one on the north side of the Thames and one on the south side. The duties of these officers were to bring before magistrates cases suitable for industrial schools; to make inquiries into cases reported by the police; to attend the meetings of the committee for the purpose of giving information as to the cases submitted, and to furnish the magistrates at the police courts with particulars as to the children coming before them, and the suggestions of the committee as to their disposal.

The school board had to do an enormous amount of work, not only in providing the machinery for its own work, but also, and perhaps principally, in educating public opinion. The general attitude of the public was one of antagonism, and the feeling that the rights of parents were being interfered with. The attitude of the magistrates was also unsympathetic. However, the board gradually overcame all difficulties and is now able to report that out of a total of 64,000 cases which have been considered since the board was established about one-half have been sent to schools.

Of the immense number of industrial school children for whom the London school board is responsible, three-fourths are dealt with in different localities in rural districts. The gain is reciprocal, both to the London child and the school to which he is sent, for of all the constituents of a good school there is none more pungent than the London boy; he seems to quicken and to flavor every school he enters.

In the early days the industrial schools were looked upon as semi-penal institutions, and the inmates were treated like prisoners. Now, however, the industrial training is of a most efficient character, and the aim is to make the schools as interesting and attractive to the children as possible. One of the most interesting and most important features of industrial school work is the physical training and development of the children. Most of the schools have gymnasiums and swimming baths. In the girls' schools also physical training is provided. Another feature of industrial school life is the annual summer holiday at the seaside or in camp in the country.

The report deals fully with the children who have been placed out by the

board and who are kept under supervision until they reach the age of eighteen years, and states, among other things, that:—

"The employments into which children are placed upon leaving school vary considerably, according to the children's tastes and capacities, and to the locality of the school and the opportunities of the superintendents and managers.

"Girls usually enter domestic service, and this kind of disposal is generally considered to be the best for the majority of girls. They are well paid, well fed, well cared for and have good opportunities for advancement. Experts differ as to the desirableness of placing girls as general servants in middle-class families, or in more well-to-do families where many servants are kept. Many superintendents have strong objection to the latter course, and their reasons are certainly very cogent. Some, however, have successfully entered higher employments, as teachers, milliners, shop assistants, art students, art needleworkers.

"The range of occupations is much larger for boys, and the choice more varied. Among the most popular are the following: Army, farm service, emigration, domestic service, mercantile marine and trades of various kinds. A larger number enter the army than any other employment. They go as band boys, for which they have been prepared by the school bands. Nearly every boys' school has its band, and in many this is one of the most important 'industries.' The primary object, of course, is to prepare the boys for the army. Many of the bands discourse excellent music, and, considering the age of the performers and the fact that the best players are being constantly removed, the ability displayed is extraordinary. In many cases the schools obtain paid engagements at different public events, such as flower shows, etc., and in some cases near London the band has been regularly engaged by the London County Council to play in the parks. The bandmasters of regiments are glad to get such recruits, in consequence of their knowledge of music and because they have been accustomed to discipline. A number enter the Royal Navy, but the facilities for their joining this branch of the service are not equal to those of the army.

"Both employments are considered to be exceedingly good for industrial school boys, as they are given opportunities for advancement and are removed from the many pitfalls which beset boys in civil employment."

Many of the industrial school children are placed, through Dr. Barnardo, in Canada. Catholic children are placed through such societies as the Catholic Immigration Society.

Each boy is provided with an outfit costing £4.

In 1876 a truant school was established, and the report deals with this also very fully. Eleven thousand boys have been committed to the truant schools since their establishment, of whom 90 per cent. are said to have been "cured."

The board now maintains day industrial schools, for which parents have to contribute two shillings a week. Day industrial schools are not intended for the homeless, destitute child, nor for the child with an immoral or criminal home, nor for mere truants, but for a class between the truant school class

and the industrial school class. The children must have a fairly decent and respectable home, however poor. In these schools the half-time system of school work is adopted. The other portion of the day is devoted to industrial training.

**Reformatory and Industrial Schools in Great Britain.**—The inspector's report of these schools for 1903, which has just been published, states that the total number of schools under inspection is 222, viz., 45 reformatory schools, 139 industrial schools, 14 truant schools and 24 day industrial schools. The total number of juveniles under sentence of detention in reformatories and industrial schools at the close of 1903 was 27,873, namely, 22,954 boys, including 3,278 on license and 1,179 in truant schools, and 4,919 girls. This shows a decrease of 963 boys and of 299 girls as compared with the previous year. Preliminary imprisonment was abolished by the act of 1899, and consequently *all* juvenile offenders who go to reformatories do so without passing through the avenue of the prison, except as a matter of convenience, while a suitable school is being found. Furthermore the use of the prison even as a lodging-house has been decreased by the facilities afforded by the Youthful Offenders Act, 1901, for placing children and young persons in safe custody elsewhere.

The number of boys and girls in the various classes of schools and the expenditures therefor in 1903 were as follows:—

Day industrial schools .....	3,396	£ 39,269
Reformatory schools .....	5,622	133,002
Industrial schools, including truant schools, 22,253		457,790

The senior schools, or reformatories, are schools to which are sent juveniles, up to the age of sixteen, who have been convicted of an offense punishable with penal servitude or imprisonment, and such children must not, by the act of 1899, serve a previous term in prison. The junior or industrial schools, on the other hand, are designed, broadly speaking, for children up to the age of fourteen who may not actually have committed an offense, but whose circumstances are such that if left in their surroundings they are likely to join the delinquent population. Thus the senior schools are for actual, the junior schools for potential, delinquents, and the former contain children some three years older on an average than the latter. The two overlap to some extent, in that an actual delinquent, if under twelve and not previously convicted, may be sent to an industrial school.

In 1902 the number of children between the ages of twelve and sixteen convicted of indictable offenses was 6,243, and the number between the ages of sixteen and twenty-one was 8,584.

The following interesting table is given of the discharges from reformatory schools in 1903:—

	Boys.	Girls.	Total.
To employment or service .....	561	127	688
Placed out through relatives .....	309	46	355
Emigrated .....	31	2	33



	Boys.	Girls.	Total.
Sent to sea .....	188	—	188
Enlisted .....	114	—	114
Discharged because of disease .....	15	7	22
Discharged as incorrigible .....	—	1	1
Died .....	16	3	19
Absconded, not recovered .....	18	—	18
Totals .....	1,252	186	1,438

In connection with the discharges for the three previous years the results show that about 80 per cent. were in regular employment, 4 per cent. in casual employment, 12 per cent. had been convicted and 4 per cent. were unknown. The juvenile commitments in 1902 were 1,081, and the adult offenders over sixteen years of age were 170,007. The average cost of maintenance of the reformatory schools, including rent and expenses on disposal and allowing the usual set-off for the profits of the labor of the inmates, was:—

For boys' reformatories in England, £21 17s., and in Scotland, £20 15s. 5d.

For girls' reformatories in England, £22 10s. 7d., and in Scotland, £24 11s. 7d.

For last year the figures were:—

For boys' reformatories in England, £21 15s. 6d., and in Scotland, £21 15s. 11d.

For girls' reformatories in England, £22 8s. 1d., and in Scotland, £22 5s. 11d.

The average cost per head for maintenance of truant schools, allowing for profit or loss of the industrial departments, was £25 7s. 7d. The total expenditure, including £1,071 8s. 1d. for building and capital account, was £30,873 7s. 5d., towards which the treasury contributed £7,512 4s. 10d. and the school boards and other local authorities, £24,331 9s. 6d.

The average length of detention was about thirteen weeks three days in cases of first admission, eighteen weeks three days in those of first readmission and twenty-four weeks four days in those of second readmission. The decline in the number of committals to truant schools which has marked the last three years continued, and at an accelerated rate, during 1903. Up to 1899 numbers had gone up year by year; it was in that year the maximum number of committals, viz., 2,321, was reached.

In the large industrial schools the cost per head was £11 17s. 3d., and for food, £3 5s. 11d.

The death rate for 1903 in the reformatory schools was 3.22 per thousand, and the industrial schools, 2.60 per thousand.

The report is a publication of 206 pages, 150 of which consist of statistical tables, which are most interesting and valuable.



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**I. The Addresses at the Annual Meeting of  
the National Child Labor Committee**

**Held in New York City, February 14 to 16, 1905.**





## CHILD LABOR IN THE UNITED STATES AND ITS GREAT ATTENDANT EVILS

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BY FELIX ADLER, PH. D.,

Professor of Political and Social Ethics in Columbia University and Chairman of the National Child Labor Committee.

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“ ‘How long,’ they say, ‘how long, Oh, cruel Nation, will you stand to move the world on a child’s heart;  
Stifle down with a mailed heel its palpitation, and tread onward to your throne amid the mart?’ ”

There are many centenaries that have received attention of late; there is one that has been almost ignored, and yet it well deserved to be remembered. Two years ago a hundred years had elapsed since the first act was passed by the British Parliament to abate the evils of child labor. England industrially is the most advanced country in the world, and English economic history shows the good and evil sides of industrial civilization writ large. A momentary glance at the conditions which called forth the Factory Act of 1802 and the legislation that followed will serve as a useful introduction to our subject. Briefly, the facts were these:

The pauper children of London workhouses were being fed to the machine, almost as the children in the ancient idolatry were fed to Moloch. Pauper children whom nobody owned, deserted waifs, orphans left on the parish—a burden on the rate payers—were sent by hundreds and thousands to supply the demand for cheap labor on the part of the factories, which at this time were everywhere springing up. These puny laborers—many of them not over seven years of age—were worked to death. But that hardly mattered, because the workhouse supply was sufficient to fill up the depleted ranks. The workhouses at first even paid a small premium to the manufacturers for taking their wards off their hands. The children were lodged in rough barracks, were cruelly driven

by their taskmasters while at work, their food was of the worst description, they were forced to labor often fourteen hours, and they were decimated by disease. It was this state of things that provoked the law of 1802, but this law was the barest beginning. The law applied only to pauper children, and it was soon found necessary to protect children also against the pitiless egotism or the desperation of their own parents. The law applied only to certain industries, and it was found necessary to extend it to others. With the substitution of steam for water power, manufactories were transferred to cities, and the demand for cheap labor grew apace. It was felt that an age limit of some kind—below which children might not be employed—must be set. The efforts to do so were strangely hesitant and inadequate, but at least the principle of an age limit came to be recognized. In 1833 it was estimated that 56,000 children between nine and thirteen were employed in factories, a whole army of child workers; but nine was a high limit compared with what in many branches had been customary. Before the Children's Employment Committee a man named Apsden testified. Pointing to his boy, he said: "This boy when he was seven years old, in winter I carried on my shoulders across the snow to his place of work, and he would work for sixteen hours." What a picture; the man rousing a child of seven from his sleep, forcing him out of bed in the dark winter morning, trudging with him on his back across the snow, and depositing the little fellow, seven years old, to work for sixteen hours. And then another picture, for he adds: "I have often knelt at his side and given him food while he was working, because he was not allowed to leave the machine." If you wish to realize what child labor means, think of the inmates of London workhouses systematically done to death in the Yorkshire factories. Think of Apsden and his seven-year-old boy, and then think—if you can bear to do so—of another picture! For till now only the factories and not the mines had been touched. In the year 1842 evidence was taken as to the state of things in the coal mines. Children began their work in the mines sometimes as early as at five years of age. Little girls were found to make ten or twelve trips a day up steep ladders to the surface, carrying heavy loads of coal in wooden buckets on their shoulders. For the development of little girls into womanhood, what an admirable device! Women and girls, half nude, worked side by side with boys and men wholly so; every considera-

tion of human decency was flung to the winds. And in Mr. Cheyney's book on "The Industrial History of England," which usefully summarizes these facts, you will find a picture representing a woman crawling on all fours, dragging through a passageway about two feet high a car containing three or four hundredweight of coal by a chain attached to a girdle around her waist. And this is described as a common form of labor. This is the third picture which I would ask you to bear in mind. Progress has been made since then; the regulation of the labor of women and children—with the latter alone we are concerned now—has been more and more extended, though the task is not yet completed. The problem of production in the sweating trades has not yet been solved, and there are still other problems to be met.

And now I wish to pause a moment to ask a question, for it is not my purpose at this time to dwell on the horrors that prevailed in the past, and as you will presently learn prevail amongst us to-day to no inconsiderable extent, any more than I can help for the purposes of the argument and the plea which I want to submit to you. But I do want to ask a question which constantly obtrudes itself on my mind: How is it that members of the human species can behave with such cruelty as did the mine owners who employed women to drag coal cars, creeping on hands and knees with a chain attached around their waist, and how is it that manufacturers can be so merciless—I suppose many of them had children of their own, and must have known what a tender thing a child of seven years is—as to drive the little Apsden boy and his fellows for sixteen mortal hours in the mill; or so lost to all respect for human life as those employers who fed the workhouse children to their machines? I take no comfort in denouncing such men, or those who follow in their footsteps at the present day. There is a vulgar proverb that he who cuts off his nose disfigures his own face. These persons are men of the same human species as ourselves; their conduct reflects dishonor upon us all. Are we then still so brutal; is the belief that there is a better nature latent in us merely a pleasant fiction?

Perhaps an explanation is possible which will leave us a margin of hope for the future. It appears to me that periods of sudden expansion are the times in which the greatest moral recklessness is exhibited and the ordinary moral scruples are most apt to be set



aside. This thought might be illustrated by the history of colonial expansion, of military expansion, even of artistic expansion—as at the time of the Renaissance; but especially by the history of industrial expansion. New machines are invented, the forces of nature, such as steam and electricity, are drafted into the service of economic ends; new markets are opened, and as a consequence tens of thousands of energetic men see opening before them the opportunity of securing riches. In the previous comparatively stationary state of society their energies had been repressed; small gains, slowly accumulated by much labor and self-denial, had been the rule; the number of very wealthy persons before the industrial revolution set in was relatively small. But now, as a result of the new conditions, the gates of opportunity are thrown wide open, the glittering prize dangles before every eye, and every active forward-pressing person may hope to secure it. He who looks steadfastly and continuously at some burnished object like a metallic doorknob will presently find himself hypnotized. The same is true in the case of brilliant objects of endeavor that stand out before the imagination. And the essence of this hypnotic effect is that it excludes all other objects or ideas from the mental viewpoint, and this it seems to me explains the conduct of the class of employers and mine owners to whom I have referred. It was gold, the unexpected chance of securing Aladdin's treasure, that riveted their attention, that hypnotized them. The cry of the children they did not hear, the degradation of women they did not see, or if they saw it, it made no impression on their impervious minds; the social evils consequent upon their predatory conduct were excluded from their sphere of vision; a kind of monomania took possession of them, they were the victims of a fixed idea. The periods of industrial expansion are peculiarly fruitful of such fixed ideas, and they are therefore the danger points in the development of human society. But what is the hope? The hope is that the results of such a reckless course of action will appear to the eye too plainly to be ignored; that the morally sound elements in the community, if the community be still sound at core, will take alarm; that a powerful reaction will set in, and that as a result certain forms of industrial iniquity which had previously been overlooked or had remained unrecognized will be stigmatized and forbidden; and that the general moral standard with respect to the evils that have appeared will be definitely raised to a higher point

than it had reached before those evils had set in. This is the hope; it is founded on the morally sound elements in the community and on their reaction; I believe that in American communities such elements still abundantly exist.

But it is of child labor in the United States that I am to speak, and here again I shall restrict myself to a few outstanding facts sufficient to establish that we are not fighting windmills, but that the evils which so earnestly challenge a remedy are widespread.

At the beginning of 1903 it is estimated that there were in the factories of the South—chiefly cotton factories—about 20,000 children under the age of twelve. Twelve is a very early age at which to begin work; but under the age of twelve, and 20,000, and in the United States of America—who would have credited it? And these children, too, not the children of foreign immigrants, but for the most part the offspring of the purest American stock of this continent; and some of these children, as eye witnesses attest, were at their work even more than twelve hours, as much as thirteen and fourteen hours a day. Where are our instincts of mercy, where is the motherliness of the women of this country, whither is the chivalry of our men that should seek a glory in protecting the defenseless and the weak? Within the last two years child labor laws have been passed which have doubtless reduced the number of children under twelve years of age in the factories; how great the reduction is it is impossible to say. But the South is by no means singular, though it has of late been more conspicuous in its employment of child labor than other sections of the country. And there is no excuse for adopting a pharasaical attitude toward the southern communities and saying: "We are glad that we are not like these." For in the first place, in not a few instances it is northern capital invested in southern mills that shares the responsibility for the conditions named; and then again, while the proportion of child to adult labor in the South is greater than anywhere else in the country, the absolute number of children employed is greater in the industrial centers of the North.

The lack of adequate statistical inquiries makes it impossible to express in figures the extent of the evil of child labor. But wherever investigation is undertaken, wherever the surface is even scratched, we are shocked to find to what an extent the disease is eating its way underneath, even in those States in which legislation on the sub-

ject is almost ideal. The laws are admirable, but the enforcement is defective. Thus glancing over the reports recently transmitted to the National Child Labor Committee by its agents I find that in New Jersey, in one of the woolen mills, 200 children under the legal age are at work. In the glass industry of Ohio, Pennsylvania, and West Virginia, the evils of premature work and of night work are combined. A boy, Willie Davis, for instance, thirteen years old, works on alternate nights from 6.30 p. m. to 4.30 a. m., earning ninety cents a day. In one of the glass houses of Wheeling, W. Va., forty boys were seen by the agent, apparently from ten to twelve years of age; one child looked not over nine years old, "but was too busy to be interviewed." In this place 3,000 children of the school age were found to be out of school. In this town there are also many cigar factories that employ children. And speaking of the tobacco industry reminds me of the case of a child worker just reported from Pittsburgh. The boy is employed in a toby factory—"tobies" being a cheap kind of cigar—in rolling tobies. He is twelve years of age; he has already been at work for seven months; the hours of labor are from 6 a. m. to 8 p. m., intermission for lunch fifteen minutes, for supper twenty minutes, in all thirty-five minutes in fourteen hours. He works Saturday nights from seven until midnight, and sometimes until 2 Sunday morning; does not work Saturdays, but works Sundays. The room in which he rolls his "tobies" is described as dark and poorly ventilated; the atmosphere is charged with tobacco dust. The boy seems gentle and uncomplaining, but he coughs; and when he was asked whether he was well, he pointed to his chest and to his back and said: "I have a pain here and there."

And in our own state of New York, which in point of legislation is in advance of all the rest, the infractions of the law that occur are frightful enough, as the petition for the removal of the present Factory Inspector sent to the Governor by the Child Labor Committee of New York plainly proves. In a single one of the canning factories where abuses are particularly flagrant, the foreman himself estimated the number of children at work in violation of the law to be 300. Children as young as ten, nine, and seven were found to be at work side by side with their mothers, from 9 a. m. to 9 p. m. In the Chelsea Jute Mills of Brooklyn, an establishment which acquired an unenviable notoriety in connection with the Annie Ventre case some months ago, there are reported to be at the present time 85



children at work under the legal age. In the sweated trades the evils are the same, or if possible worse. The report further states that the number of violations, not of the child labor laws in particular but of the factory laws in general, are alarmingly on the increase; 33,000 reported in 1901, 50,000 in 1903.

I must again repeat that the number of law-defying employers cannot be estimated with any exactness. Sweeping arraignments, sensational generalizations are unjust in this as in other cases. There are employers, not a few, who on their own initiative endeavor to enhance the safety, the comfort and the well-being of their employees beyond anything that the law requires of them. But the mischief wrought by the lawless minority, affecting as it does so many thousands of human lives, is intolerable; and there is always the danger that in a competitive system the lowering of the standard by the unscrupulous will tend to undermine and to drag down the higher standard which those whose intentions are honorable are attempting to maintain. There is need of efforts gradually to raise the age limit of employment where that limit is too low; and it has been found also that there is need of a kind of National Steering Committee to promote the movement on behalf of child protection—in view of the fact that states hitherto agricultural are more and more entering the column of the industrial states—for the purpose of guiding as far as possible this transition, and enabling the newer industrial communities to profit by the lessons of experience, and preventing in their case the needless repetition of the evils which have marked the initial stages of industrial development in the older countries and commonwealths. Such a committee has now been created. But in addition to good laws, there is need of a vigorous and imperative public sentiment in favor of the enforcement of the laws, for without the pressure of public sentiment the best laws remain dead letters, as the example of New York state demonstrates. But public sentiment cannot be maintained without public interest in the question; and it is to aid in developing such interest with a view to maintaining such a sentiment that I have brought the matter before you in this address.

And now let us briefly consider some of the arguments that are advanced in favor of child labor, and the grounds upon which they are to be rejected. The first argument is, that necessity knows no compunction; that however undesirable it may seem to harness

young children to the yoke of toil, it is impossible to do without them, because if child labor laws are enforced certain important branches of industry will cease to be profitable. For instance, in the glass industry. It is said that this industry cannot be carried on without the aid of young boys, and of the textile industries in the South the same has been averred. This argument is as old as human avarice, and it appears again and again in modern economic history. It is fallacious, for the reason that cheap labor is not really cheap, and that higher paid labor—in this case the labor of adults as compared with that of children—is not really more expensive. The prohibition of the cheap labor of the child is favorable to the invention and use of labor-saving devices; it challenges and promotes a more efficient organization of the business; and it imparts a higher value to the product, because of the greater skill, vigor and interest of the labor that enters into the product. As a matter of fact, at the time when the two principal industries of England—the textile and the coal mining industries—were prohibited from employing children, there was a tremendous outcry, and it was freely predicted that those branches would cease to be profitable, and especially that England would cease to be able to compete in the matter of textiles and coal with foreign countries. But what has been the event? That England is stronger to-day—not in spite of, but because she has forbidden, child labor—in just those two branches of industry than she was at the time when those sinister predictions were uttered. And so if it is said that the glass industry cannot be carried on without child labor there is the fact to be noted that the largest glasshouse in the state of Ohio is carried on without child labor, and does not appear to be conducted at a loss.

A second argument is the attempt to block a humanitarian movement for a seemingly humanitarian reason, the reason being that the labor of these little hands is necessary to relieve the poverty of their families, and that it is cruel to deprive the poor of that increase of their weekly earnings—even if it be only two or three dollars—which little children are able to supply. In answer to this plea it must be said that the actual state of the case is sometimes quite different from what is supposed. For instance, I have in mind the case of a boy who, though fifteen years of age, was sadly overworked, his hours being from 6 a. m. to 10 p. m. The father of this boy earns from six to seven dollars a day. Surely this is not

a case in which the necessity of the parent excuses the overtaking of the strength of a young boy. In other cases parents are found to lead a parasitic life, reversing the order of nature, the adults living at the expense of the children. Economically it is brought home to us, that the wage earned by children is not really an increase of the family earnings; that where there is competition between children and men the wages of the men are thereby reduced; so that a family in which man, woman, and child are breadwinners, may not earn more—sometimes earns less—than the income gained by the man when the man alone was the breadwinner. And again, in those cases of genuine hardship which undoubtedly occur, especially where women have been left widowed with the care of a family upon their hands, and where the small earnings of children ten and eleven years of age do make an appreciable difference (cases have occurred of loyal little men under the age limit coming to the mills with tears in their eyes and begging to be allowed to labor for their mothers' sake); I say in such cases it is wiser for society to commend indeed the loyalty of these little fellows, but to send them to school, and to follow the example of Ohio, which has spread a law upon its statute books looking to the public relief of destitute families of this kind. It is better for the state to furnish outright relief than to see the standard of living of whole sections of the population lowered by child competition.

These are the two main arguments. There is one other argument, so un-American and so inhuman that I am almost ashamed to quote it, and yet it has been used, and I fear is secretly in the minds of some who would not openly stand for it. A manufacturer standing near the furnace of a glasshouse and pointing to a procession of young Slav boys who were carrying the glass on trays, remarked: "Look at their faces, and you will see that it is idle to take them from the glass-house in order to give them an education; they are what they are, and will always remain what they are." He meant that there are some human beings—and these Slavs of the number—who are mentally irredeemable, so fast asleep intellectually that they cannot be awakened; designed by nature, therefore, to be hewers of wood and drawers of water. This cruel and wicked thing was said of Slavs; it is the same thing which has been said from time immemorial by the slave owners of their *slaves*. First they degrade human beings by denying them the opportunity to



develop their better nature; no schools, no teaching, no freedom, no outlook; and then, as if in mockery, they point to the degraded condition of their victims as a reason why they should never be allowed to escape from it.

These are the arguments advanced for child labor. What I have summarily said may suffice for their refutation; but I shall not content myself merely with the negative attitude of meeting our opponents, and I should like in approaching the close of my address to present the grand positive reason why child servitude should be abolished throughout the length and breadth of this land. The battle is sometimes put on what are called sentimental grounds. Any one who has children of his own cannot help enduring a certain anguish in thinking of such cases as those of the little children treading up and down those stairs of the inferno of the English coal mines with buckets of coal on their backs, or of the little children in the mills returning to their squalid homes at 2.30 in the morning, or of the little boy rolling "tobies" in the dark and ill-ventilated room for fourteen mortal hours, coughing, with a pain "here and there." And when we picture these things and realize what they mean we are apt to cry out in a sort of wild indignation, saying: "These things must stop; we will not permit them to go on." In other words, we think of the individual children; and as we are men and women capable of sympathetic feeling, our hearts bleed for them.

But in addition we must never forget that beyond the individual interest there is a vast social interest at stake, the interest of American civilization, of human civilization, of all those generations that are to succeed us. The reason why child labor must be abolished, apart from the sufferings of individuals, is one which biology and ethics combine to enforce upon us. The higher the type of living being the finer the organism, the longer the period of time required for its maturing. The young of birds and of the lower animals are full grown after a few days or a few weeks. They acquire with incredible rapidity the use of inherited instincts, and after the shortest infancy are ready to take up the struggle for existence after the fashion of their species. The human being requires a period of preparation extending over years before he is ready to take up the struggle for existence after the human fashion. First infancy, then childhood, then early youth; and during all that period he must

remain dependent on the protection and the nurture of adult kinsfolk. If that period is curtailed the end of Nature in this highest type of living being—man—is thwarted. It is for this reason that premature toil is such a curse. The child must develop physically, and to do so it must play; the child must develop mentally, and to do so it must be sent to school; the child must develop morally, and to do so it must be kept within the guarded precincts of the home.

The physical effects of precocious childhood are arrest of growth, puny, stunted stature, anæmia, thin, emaciated limbs, sunken cheeks and hollow eyes; and diseases of all kinds—of the lungs, of the joints, of the spine—for arrest of development does not mean mere arrest, but means malformation.

The mental effects of precocity labor are likewise arrest of mental development; and this, too, means not only a stopping short but a development in the wrong direction. The brilliant but short-lived intelligence of many newsboys, their high-strung excitability, their sinister anticipation of world knowledge, followed often by torpor and mental exhaustion later on are an instance in point. We laugh at and applaud their sallies of wit, their quick repartee, their seeming ability to play the game of life on a par with adults; we do not look beyond the moment, nor count the cost they pay.

And the moral effects, as is to be expected, are of the same sort: loosening of family ties, roving the streets, familiarity with vice and the haunts of vice, a startling independence before the moral nature is fit to maintain independence, a process of selection so trying that while sometimes it leads those subjected to it to distinguished achievement, more often it leads to ruin.

The finer the type the longer the period needed for the maturing of it. In the case of youths dedicated to the professions, the period of preparation at present extends far into the twenties. In the case of all who are to be component members of this American nation, to carry on its great traditions and help in solving its tremendous problems, the period of preparation should not be cut short below the sixteenth year. This is the standard toward which we are working, toward which we hope to approximate—more rapidly in the older communities, more patiently and with a due regard to all the interests involved in the less advanced communities. But we look forward to the day when the standard shall be adopted in all the

American Commonwealths, and the total abolition of child labor in every form shall be the honorable achievement of the entire American people.

The emancipation of childhood from economic servitude is a social reform of the first magnitude. It is also one upon which we can all unite. There are so many proposed reforms upon which it is impossible to secure agreement, different minds, though alike honest, inevitably differing with regard to them. But here is a reform upon which we can agree, which must appeal to every right thinking person, and which is urgent. And one particular advantage of it I should like to point out, namely, that it is calculated to be the best induction into the right spirit of social reform, that it will attune the community in which it is achieved to a favorable reception of sane and sound social reforms generally. Because if once it comes to be an understood thing that a certain sacredness "doth hedge around" a child, that a child is industrially taboo, that to violate its rights is to touch profanely a holy thing, that it has a soul which must not be blighted for the prospect of mere gain; if this be once generally conceded with regard to the child the same essential reasoning will be found to apply also to the adult workers; they, too, will not be looked upon as mere commodities, as mere instruments for the accumulation of riches; to them also a certain sacredness will be seen to attach, and certain human rights to belong, which may not be infringed. I have great hopes for the adjustment of our labor difficulties on a higher plane, if once we can gain the initial victory of inculcating regard for the higher human nature that is present potentially in the child.

And there is one additional word which, if I may so far encroach upon your patience, I should like to say: It is not enough to shut the children out of the factory, we must also bring them into the school, and compel parents, if necessary, to send them to school; the movement for compulsory education everywhere goes hand in hand, and must go hand in hand, with the child labor movement.

The child labor movement has for its object to fence off an open space within which the educational institutions of the country may do their perfect work. The school has for its object to win from the human beings confided to it the human qualities latent in them, imagination, taste, skill, appreciation, vigorous reasoning, will power, character; to fulfill the ends of Nature in the finest organism,



the highest type of living being which she has yet produced. A more convincing appeal than comes to us from these two movements jointly, the child labor and the educational movements, in my judgment, cannot be conceived of. And without the former the latter cannot succeed.

## CHILD LABOR IN SOUTHERN INDUSTRY

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BY A. J. MCKELWAY,

Assistant Secretary of the National Child Labor Committee.

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For a Southern man to criticise the South before a Northern audience is treason; to defend the South is almost an instinct. But if he can throw the blame for anything that is wrong upon New England he may thereby reconcile sentiment and conscience. It is an orthodox introduction, therefore, to say that the invention of a New England pedagogue, a hundred years ago, is the real cause of the crusade in which we are all engaged. That invention changed the face of the industrial and political world. To Eli Whitney's cotton gin may be traced directly the abandonment of manufacturing in the South and the practical monopoly of the cotton growing industry by the South, the development of African slavery from a patriarchal into a commercial institution, the clash between the systems of slave labor and free, the resulting War between the States, and the system of child labor which has been the special curse of the cotton milling industry for a hundred years, first in England, then in New England and later, with the resumption of manufacturing by the South, has become the curse of the Southern cotton mill. Consider these clearly related facts: Ten years before that invention the South shipped 1,200 pounds of cotton to England. Last year the South produced 6,500,000,000 pounds. The first full cargo of cotton shipped to England, shortly after that invention, was seized on the ground that so much cotton could not be produced in the United States. A hundred years ago the South was manufacturing more goods and a greater variety of them than New England; Southern states were vainly protesting against the British and New England slave trade and the extension of slavery; a physician of Leeds, England, had just put on record his historic protest against the niggardliness of the hospital authorities in not

furnishing enough supports for the bent bones of the deformed children of the cotton mills, and Eli Whitney was receiving his royalty of two shillings sixpence upon each saw of his historic gin. Of course the invention was also a great beneficence. It has made clothing so cheap that the Hong Kong coolie, on a wage scale of three cents a day, may cover his nakedness. But it gave us the slavery problem and has bequeathed to us the negro problem of the South and the child labor problem of the manufacturing states of both Europe and America.

And now the South is again becoming a manufacturing section. In 1900 the value of her manufactured products surpassed that of her agricultural. And it happens that the manufacture of cotton is her characteristic and commanding industry. In 1880 there were 667,000 spindles in Southern mills. In 1900 there were over 7,000,000. In 1904 there were twice as many cotton manufacturing establishments in the South as in 1900. In the two Carolinas the number of spindles has more than doubled in the last six years. But just as there so long hung over the cotton field the pall of negro slavery, so there hangs to-day over the cotton mill the shadow of child slavery. The conscience of the world revolted against man-stealing and man enslavement. But the enslavement of children touches a deeper chord. One of our eloquent phrase makers has spoken of the great smoke-stacks of our flourishing mills as "flaunting their banners of industry against the sky." But when one thinks of the thousands of young lives that are imprisoned within those mills, toiling from daylight to dark or from dark to daylight, an older figure of speech comes to mind—"And the smoke of their torment ascendeth"—shall it be "forever"?

It may be broadly stated that there would be no child labor problem to speak of in the South to-day except for the cotton mill, and this industry is centered in the piedmont section of four cotton growing states, North and South Carolina, Georgia and Alabama. It is necessary to discriminate between these states and others of the South as to the extent of the child labor evil, and within these states, as to the character of the work done by children. The South is still mainly an agricultural section. Among those under sixteen years of age, counted by the census makers as engaged in "gainful occupations," by far the greatest number are at work on the farm, under the eye of their parents, although by the operation



of the tenant system their wages are counted in the sum total for the family. But this is the kind of child labor that is not only not hurtful, but may be beneficial in the direction of physical health and development. The negroes are not employed in the cotton mills and their children may therefore be excluded from the factory problems. Other manufacturing industries make no appreciable demand for the labor of the children. The furniture factories of North Carolina that sell their finished product at Grand Rapids, Michigan, are practically unanimous in their belief and practice that no child under fourteen years of age should be at work in a factory. The evil exists to some extent in the tobacco factories, to no extent in the steel and iron works, while the coal mining states have the protection of fairly good laws against the employment of children. The South is too large a section of country and its industries too varied for any sweeping indictments against it in this matter to be other than the fruit of ignorance or prejudice. And it may be easily proved that because child labor has always been the curse of the cotton mill above all other industries it is such an evil in one section of the South. There should be similar discrimination in reviewing the legislation of the Southern states in the matter of child labor. It is comparatively an unimportant matter that Mississippi, with twenty small cotton mills has an ineffective child labor law, or that Louisiana, with ten cotton mills has lately refused to amend its law, or that Florida, with no cotton mills, is as yet innocent of any remedial legislation on this subject. In the South, although there is a general movement and rapid progress in all lines of manufacturing, cotton is still king in both the factory and the field. North Carolina's rural population is still 85 per cent. of the total, and yet North Carolina has more cotton mills, though smaller ones, than any state in the union and South Carolina stands next to Massachusetts in the number of spindles.

It may be said also, that considering the sudden growth of the cotton milling industry and the bad reputation it has always borne in respect to the employment of children, the South has acted with commendable promptness in recognizing the evil and attempting its cure. The very first protest made in England by way of legislation was in 1802, the twelve-hour law of Sir Robert Peel, which had special reference to the cotton factories and woolen mills. Yet, in 1816, out of 23,000 factory hands in a given number of English

mills, 14,000 were under eighteen, while children of six years were employed. In 1833 Lord Shaftesbury showed that the conditions in the cotton mills had not improved, and made this profoundly significant remark that the evil had "spread from the cotton mills" into other industries. It was not until 1848 that child labor in England was limited to five hours a day for children under thirteen, although the law requiring such children to attend school the other half of the day has resulted in practically as much physical deterioration as from continued employment in the mill. It was not until 1902 that England passed a law raising the minimum age limit for the employment of children to twelve years, while the same year, after only twenty years of experience with the evil, the three manufacturing states of North Carolina, South Carolina and Alabama, fixed the same age limit by law. Massachusetts, with almost ideal conditions at the beginning, so far as this evil was concerned, had gone backward, until as late as 1879 children from eight to eleven years of age were allowed to work from eleven to fourteen hours a day in the cotton mills. It is worthy of note that free trade, including the abolition of the corn laws in England, has been the same encouragement to manufactures there that protection has been for the United States, driving the people from the farm to the factory. In the decade between 1890 and 1900 the employment of children in factories increased 40 per cent., and of these factory children 61.8 per cent. are in the Middle and Southern states.

It may be fairly said, therefore, that the South has acquired this system of child labor from New England just as New England learned it from old England along with other lessons of the cotton milling business. In fact the very machinery of the cotton mill is adapted to child labor. The spinning frame is built for a child of from twelve to fourteen years of age, so that it is hard for an adult worker to do that particular work through having to stoop to the task. I was told not long ago by a leading dealer in cotton mill machinery that a spooler had been recently put upon the market with adjustable legs for small help. While I learned from the same authority that when the cotton mill was erected in India, for the first time in the history of the industry as conducted by modern machinery, the spinning frames were made high enough from the floor for adult workers, India not being sufficiently civilized to employ children.

And even in the South, the North must share responsibility

for the continuance of this evil. The history of legislation on this subject is interesting. In 1887 Alabama passed a law forbidding any child under fourteen to work more than eight hours a day in a mill. Then came the wonderful development of the industry and a large influx of northern capital to be invested in that industry. Through the influence of the Northern mill-owners of Alabama mills, that law was repealed. Through the same influences, coupled with those of Southern manufacturers, the child labor law proposed in Alabama, through the efforts of Edgar Gardner Murphy, of Montgomery, failed of passage. The agitation following the defeat of that law resulted in the next two years in putting legislation on the statute books of Alabama, North and South Carolina, the effort failing in Georgia, where again there is large Northern interest in Southern mills, while in the Carolinas the mills are owned almost entirely by Southern men. The agitation spread from the South to the North, where there were better laws upon the books, but in many instances miserably poor enforcement. It was this agitation and its beneficent fruits that led Mr. Murphy to suggest the formation of a national committee for the consideration of this problem. For it is admittedly a national and not a sectional evil.

Just as the laws of the manufacturing countries of Europe are superior to those of our own country, so those of the North and of the West are superior to those of the South. There must be discrimination, however, as Massachusetts, New York, New Jersey and Illinois, have the same age limit as Maryland, Tennessee and Kentucky, namely, fourteen for those working in factories, while Pennsylvania has an age limit of thirteen. Virginia, North Carolina, South Carolina (after next May), Alabama, Louisiana, Texas and Arkansas, have the same age limit, namely, twelve, as Maine, New Hampshire, Vermont and Rhode Island, while Delaware and Oklahoma stand with Georgia and Florida in fixing no age limit. It should be said, however, that these statements soon are antiquated since there is a strong effort to raise the age limit in Rhode Island and in Pennsylvania just now, and there will be another attempt to fix an age limit by law and not by an agreement of the manufacturers, merely, in Georgia at the next legislative session.<sup>1</sup>

<sup>1</sup> Since the above was written, Rhode Island has raised the age limit to thirteen, and provided that it shall be fourteen after January 1, 1907. Pennsylvania has raised the age limit to fourteen, and Delaware has enacted a fourteen-year standard; likewise Vermont, West Virginia, Kansas, Oregon and California.—S. M. L., Ed.



But there is as yet almost no enforcement of the child labor laws in the Southern states. Putting on record the principle of the right of the state to interfere between the parent and the child in this vital matter is as far as most of our states have gone. There is no system of factory inspection, and it is admitted that the laws are as constantly as they can be easily violated. And while the numbers of the toiling children are larger in the North, through the multiplicity of her manufactures, the percentage of child to adult labor is four times as great in the South as in the North. Conditions are bad enough and should not be minimized, lest they be tolerated too long. The evil is even a growing one with the growth of the cotton milling industry. There are 15,000 children under fourteen years of age working in the cotton mills of North Carolina, not less than 60,000 in the South, and it is known that too many of these are under twelve in spite of law and agreements not to employ such. A recent effort to amend the law in North Carolina by raising the age limit from twelve to fourteen for girls and for boys who cannot read and write, was defeated by the representations of the manufacturers that their business would be ruined, one of them stating publicly that 75 per cent. of the spinners in the North Carolina mills were between the ages of twelve and fourteen. The illiteracy of the manufacturing states of the South is largely due to the competition for the life of the child between the school and the mill, with the manufacturer too often, the parent nearly always, and sometimes the child on the side of the mill. The Northern manufacturing states are also falling in the illiteracy scale, Rhode Island, with its twelve year limit unenforced, having become the most illiterate of Northern states. In North Carolina only 25 per cent. of the children of school age in the factory districts attend school and the percentage is sometimes as low as 8 and 10 per cent.

But the religious and educational forces of the South, with the aid of the enlightened press of the South, may be trusted to put an end to this hideous abuse. In all other points save this, the cotton mill industry of the South is a real beneficence, and is conducted under the best conditions. It is only necessary that the facts shall be carefully investigated, and published, for the demand to become irresistible from the people themselves that the industry must not be built upon the basis of child labor, nor will it be long before the

will of kind-hearted people will be translated into humane laws that we may again "present a serene front to civilization."

And I would appeal to the people of the North to sweep before their own doors more carefully as the best means of helping us of the South. When Southern visitors to New York City see the size of the little newsboys and are aware of the newsboy law, they are not much impressed with the adequacy of law to protect children. When our Carolina manufacturers visit the Rhode Island cotton mills and find conditions there as bad if not worse than those in their own factories, it is hard for the advocates of the children's cause in the South to plead the better example of the North. In all respects save this one, conditions in the Southern mills are better than they have ever been elsewhere in their industry.

The child is the savior of the race. The child is the harbinger of the Golden Age, when, as it has been pictured to us, the forces of greed and the forces of violence and the forces of cunning shall walk together in peaceful procession, while "A little child shall lead them." In working for the protection of the child from too early toil, with its stunting of the body and dwarfing of the mind and spoiling of the spirit, we are laboring for the building up of the race that is to be. The child labor problem touches many others. But it seems to me that the old darkey summed up the whole philosophy of this movement when he was made to say:

I heah de chillun readin'  
'Bout de worl' a turnin' 'roun',  
Till my head gits sorter dizzy  
As I stan' upon de groun';  
But let her keep a turnin'  
If 'twill bring a better day,  
When a man can mek a livin',  
While his chillun learn an' play.

## CHILDREN IN AMERICAN STREET TRADES

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Although the method of distributing the daily papers may seem to vary in different cities the means remain ever the same. The newsboy has always been regarded as indispensable for securing a satisfactory delivery or distribution. The purpose he serves is so evident, his place in the system seems so determined by necessity, that much thought has been given to the labor, but very little to the laborer. In truth the public has grown to look upon him as one of the factors in everyday life, able to care for himself and to work out his own salvation. That some do this there is no doubt. The newsboys who have gone from the street into business and even into larger affairs of state and of the nation refer with pride to the road over which they have traveled.

The newsboy has become a part of our city environment. A familiar figure, rather undersized as we know him best, flipping the street cars, or standing on street corners holding his stock in trade under his arm. A veritable merchant of the street, who scans each passer-by as a possible customer. Quick of wit and intent upon his trade he reads their peculiarities at a glance, and makes the most of their weaknesses. The public sees him at his best and neglects him at his worst. He is not considered in the problem of child labor, because he works in the open and is seemingly apart from the associations which are so hostile to the health and happiness of the factory child.

It seems the part of the iconoclast to controvert the popular conception of the newsboy. His energy and enthusiasm in the few hours when his work is at its best add to the picturesque in the city's life; his sacrifice and his service have always been the peculiar field of the melodrama or the boy's story book. It is very hard to throw these early impressions ruthlessly aside. This class of boys



have the ability to do things which attract and to conceal those things which repel.

Undoubtedly in the early days of paper selling and before the child of foreign parents secured such a monopoly of street trades, there were some features of paper selling which were more attractive than they are to-day. With the changing character of the street there has also come the realization that the ordinary boy has little or no future there. The opportunity for him in the business of the paper is small. In fact the uncertainty and license of the street provides but a poor education for any occupation which requires either regular or persistent effort.

With the demand for more effective restriction of child labor and with compulsory education laws the fact has become obvious that the laborer on the street is one of the chief offenders against these laws. Investigations conducted by persons familiar with the problem have disclosed the fact that while street trading offered temptations to which the street boy was particularly susceptible, there has been little or no attempt to regulate and improve existing conditions.

It has also been noticeable that similar conditions prevail in most American cities. The dangers of the street trades are not limited to the great cities of the East, but are equally true of the western cities and of the smaller cities throughout the country. This matter has been more carefully considered in our great cities, and we shall take as the best illustration of the general dangers of street trading those found in the city of Chicago.

Chicago is particularly fortunate in the character of its street trades. Many forces have combined in the newspaper industry to make possible a system of distribution, which, both in simplicity and completeness, excels that of most of American cities. A system has been gradually developed in Chicago which excludes many of the deplorable tendencies in other cities. This allows the paper to pass from the publisher to the reader with the least possible waste of time or energy, and insures in the case of many of its workers the establishment of newspaper selling as an industry. The industrial possibilities have been largely due to the practical interest that the Chicago papers have taken in the newsboy, and in the development of a regular and methodical system of paper selling. This interest has not merely been evident in the desire to give some pleas-

ure to the newsboy, by means of gymnasium, drill-halls and other forms of practical helpfulness, but also, to a much greater degree, in the attempt to put the work on a basis that would insure him a business and a regular livelihood.

Chicago is mapped out by carefully defined boundaries into "routes," assigned to men known as "route carriers." A wagon representing each paper covers these routes, not once, but several times during the day. At regular points along the route the driver is met by the men who are owners of the routes. These men are often accompanied by boys, waiting for a supply of papers for house to house delivery, and for sale on street corners in residence districts. They are the news dealer's assistants, and as a rule prove themselves reliable as well as prompt. In fact the competition for this employment is so keen that the boy must "hustle" or another will be given the coveted position.

In the early phases of newspaper selling the street corner in the downtown district was the scene of physical battles for supremacy. For many years the Irish lad held absolute possession. With strong fist and ready tongue, backed by many friends, he seemed almost invincible, but back of it all there was a certain lack of persistence that proved to be his undoing. The Jewish boy came next. He would not fight the Irish lad with the weapons of his choosing, he knew a better way. Every day he was at his post, in winter and summer, in good weather and bad, the customer could depend on his appearance with the paper. So his trade increased, and at last he gained a monopoly of the corner. In turn he fell, and the Italian, the prince of street venders, because he possessed both of the strong points of his predecessors, secured the monopoly of most of the good corners. He was both a ready fighter and a persistent worker.

Meanwhile the circulation managers of the newspapers came into the field with assurance of assistance to him who possessed the corner. The corner, which had been merely a prize for a physical contest, now came to have a quasi-legal position that implied pecuniary value. Its value was so great that it could not pass unnoticed by the circulation managers, and protection of some sort seemed necessary. The social privilege must have a more stable backing than merely the "good will" of the street. Protection finally came from the newspaper in the form of a card bearing the name of the dealer and the position of his corner, with the condition that no

one could buy early papers without presenting this card. In this way they were able to regulate the transfer of the corner. "For, while they did not often interfere with the transfer of a corner from one boy to another, if they knew him to be in the pay of another paper, or if they suspected that he was getting possession of a number of corners in order to speculate on them, or to hold a monopoly, they did not give him a card." This protection gives the dealers confidence in their position, and inspires them to be both regular in their trade and courteous to customers if they would establish a business.

The plan which was so well adapted to the downtown district was established on a more liberal scale throughout the city. The principal corners in the outlying districts were occupied by so-called "Canadian" boys, a title often given to the dealer who delivers papers to the smaller boy, and who controls the circulation in his district. The dealers are empowered by the papers to arrange the territory each boy is to cover. Some of these boys receive a small salary from the newspapers, others are dependent upon the small sum which they derive from the sub-letting of their districts, and they manage to earn a very fair salary when they combine the actual selling of papers with their other duties. Among the men and boys who own corners outside the downtown district there is a great divergence, both in age and nationality, but the boy finally chosen as overseer is usually the best representative of the district in which he lives.

In addition to this selling on the street corner many of the older boys have established regular routes, which often require the delivery of five or six hundred papers each day. One young man who has a route of this kind has been able to secure an education by means of selling papers. He finally graduated from High school and from a medical college, received a degree, and practiced medicine for two years, yet he still continued with the old route and depended upon it chiefly for support. Many instances came to the notice of investigators of persons who had in this way earned a living while pursuing a scientific or professional course.

In return for the social and business privilege the agent assumes the responsibility for the circulation of the paper on his corner, or in his district. He promises that each paper shall have an equal amount of attention at his hands, and none shall be favored either in posi-



tion or method of sale. As long as the bargain is kept he is given perfect liberty and remains secure in his position. If the bargain is broken there are forces in reserve that operate to his undoing.

The business in its development required that some one be constantly at the stand. In the morning one newsboy, or at the most, two are necessary, for the trade in the morning is comparatively dull. This is due to the fact that most of those who come to the city on suburban trains have already purchased their papers before arriving in the city, and those who live in the city have either obtained a copy at their homes or are too busy to read them at their places of business. On the west side few boys are on the street before 6 a. m., except those who have regular routes. A father was found delivering papers at 5 a. m. with his three little daughters assisting, but as a general rule throughout the city comparatively few people are engaged in the sale of morning papers. In the afternoon, from three to seven o'clock, many of the corner men have from one to a dozen or more assistants, who receive either a percentage of their sales or a small salary. This is the so-called "hustler" system, and the newspapers claim that it is "simply an excrescence, and apparently a temporary one." The new child-labor law in Illinois forbids the employing of boys under fourteen years of age, but the dealer can easily avoid this technicality by changing wages into commission, the boy will then be working for himself.

The privilege of position, and the regularity of sales necessarily develops a fixed value for the corner, which ranges from \$100 to \$500. The four corners of Clark and Madison streets are estimated by their owners to be worth \$2,000. None of the corner men earn less than \$1 a day, and many earn from \$5 to \$10. All this proves that it is possible for the city to make a helpful industry out of a trade which has been long considered irregular and desultory. If legislation is needed for this class it is only that there may be greater security in the business which they now hold as a privilege and not as a legal right. Many of the dealers desire this, as there is always some uncertainty in their continued possession of a corner.

The news dealers have already felt the need of association and co-operation. The Chicago Newsboys' Protective Association was organized in March, 1902. It does not seek to monopolize the newspaper trade, and is quite satisfied with its membership of 200, which

was not more than 5 per cent. of the newsboys of Chicago. It is not a union and has no power as such, and since the members do not work for wages, it is not eligible for membership in the American Federation of Labor. It was formed originally when the city was making a campaign against the street venders, driving both fruit stands and news stands off the street, and compelling the news dealers to carry their papers under their arms, thus cutting off their sales to a considerable extent. The association which was then formed to present the cause of the newsboys to the City Council secured the successful passage of an act that allowed them to keep stands. After this success they did not disband, but continued to meet the first Wednesday of each month to improve the general conditions under which they work, and also to provide for those among their number who may be prevented by sickness or any other cause from plying their trade.

Three incidents may illustrate the nature of their activities. It was reported in one of their meetings not long ago that some dissatisfaction had been expressed with the condition in which the men left their boxes on the street when their day's work was finished. As a result a committee was appointed to wait on the different members of the association and see that proper care was taken of the boxes during the day, and to insist that they be removed from the street at night.

A blind member of the association was much troubled by small boys, who stole his papers, and in every way tried to ruin his business. The matter was reported to the association, who appointed a committee, serving with pay, to investigate the matter and report. As a result of the efforts of the committee there has been little or no trouble since.

This association also helps those among its number who are sick, although on account of the very small amount of monthly dues they are not able to guarantee this assistance. A cripple received \$24 from the association during a four months' illness, and could have secured more had he not been determined to refuse further aid.

There is, however, a large and growing class, who deserve the attention of both the city and the citizen. The business of selling papers in Chicago is so systematized that the vagrant cannot prosper, and yet the "vagrant" was in its midst. He was found on State

street at eleven o'clock on a Saturday night, with one paper under his arm, not attempting to sell the paper, but using it as a bait to beg from the passersby. He was found in the "American" News alley, sometimes fifty, sometimes a hundred strong, sleeping on bags, under boxes, or on the floor of the newspaper restaurant. With this boy, and with all those who are obviously too young to be permitted to engage in street trading, it is our duty to deal, if we are to preserve the attitude the American city takes toward the dependent child.

Three classes of persons who add little to the general circulation, while detracting much from the tone of the business, and working a real injury to themselves, are engaged in selling newspapers, these are the small boy, the semi-vagrant boy and the young girl.

An investigation of 1,000 newsboys, ranging in age from five to twenty-two, showed that out of this number, 127, or 12 per cent. were under ten years of age. Among the number there were forty-two Italians, twenty-five Americans, twenty-four Germans, sixteen Irish and eight Jews. One hundred and six had both parents living, and only twenty-one had lost either father or mother. Their aggregate earnings were \$41.40 per day, or an average earning of thirty-two cents per day, for which they worked three and one-half hours daily.<sup>1</sup>

The small boy, under ten years of age, is on the ragged edge of the newspaper business. He may aid the corner dealer somewhat, and serves his purposes very well, but he is not a necessary part of the circulation system. His absence would not materially affect the general sale of the papers, since there are news stands in charge of older boys on practically every corner, but would preserve the small boy from the temptations which easily lead to a system of begging. The younger boy seems to learn early the strategic way of disposing of his wares. Three boys were found begging on State street between eleven and twelve o'clock one night. Each boy carried a paper under his arm, but made no attempt to sell it. They would watch each passerby and without exception select a man accompanied by a lady. As soon as the man's attention was attracted by the paper the boy would ask for money, and continue to do so until he either received the money or had been refused many times. One boy (T. P.), received fifteen cents in less than

<sup>1</sup> Statistics at end of article.



a half hour. When questioned, he stated that all the younger boys remaining on the street after ten o'clock did the same thing.

If the small boy is to earn very much, particularly in the downtown district where he is most in evidence, he must work in connection with some corner man, who controls a considerable distance each side of the stand, or he must wander about the street picking up a customer where opportunity offers. These boys are selected at random, without reference to school attendance, in fact selling newspapers is at the base of much truancy. The corner man exploits the small boy because he needs some one to help him in the busy hours, and often to take the stand when he goes home at night. The corner man disposes of his unsold papers at a reduced rate to one of these small boys when the best selling hours of the day are passed, since some of the evening papers are not returnable. The corner man prefers to stand the small loss rather than spend the long tedious hours late in the evening to dispose of them, but the small boy will often stay downtown in the chance of selling them. On the evening of September 13, 1903, W. S., a newsboy, aged seven, was taking care of a stand at 11.30 p. m., and probably did not leave the place before midnight. The small boy is also very useful in the sale of papers on the street cars, for he does not hesitate to jump on and off when they are at full speed, and in this way secures many customers who would otherwise be lost. Those who have investigated the matter state that the constant jumping on and off the cars is injurious to the boy. "Flipping" the street car is but a step to the freight and express trains, easily accessible and going far out to the country and to other cities, and this combined with irregular hours and uncertain income are the chief means of training the boy for vagrancy.

The newsboy in many instances is exploited by parents, who find that the boy can earn as much in a few hours as the father can in a day, and in consequence see little need that both should work. To a peasant from Southern Europe, who has been compelled to work for weeks to secure the small returns of a scanty crop, the earnings of his young child upon the fertile fields of the street seem incredibly large. He has no means of judging the harm which may come to his boy or girl, and quite naively reckons that his little children can earn more than himself. The fact that his child is deprived of school, learns no regular trade and is distracted in mind and

stunted in growth, naturally does not appeal to him, seeing as he does only the gain of the day. The child of such a parent can be protected only by law.

It is sometimes asserted that children under ten years of age, if not engaged in street trading, would lounge about in idleness and mischief. It must, however, be remembered that the truancy law requires the attendance of all such children at school. It would certainly seem better if only to secure a normal physical development that these children should play about the street, around their homes, in the playgrounds or in the crowded downtown district at the Chicago Boy's Club, which is conducted exclusively for the boys of the street, than that they should share in the intense life of street trading.

Nor is it right to characterize as idleness the play of a child of ten after five hours' application in the public school, since play has been recognized as one of the most important factors in the physical and mental development of child life. Anyone familiar with the necessities of child life in the tenement districts understands that the street is the playground for the child. It ought to be emphasized here that there is a well-known difference in the physical and moral influences surrounding street trading in the downtown district with all the freedom from external control either on the part of city or parent, as compared with the conditions of street play within the neighborhood in which the child lives where the restrictions of home and friends are able to influence to some measure his conduct.

The suggestion which may occur to the casual reader, that the newsboy under ten years of age, prohibited from trading on the street, would be deprived of a very important part of his support, is not sustained by the facts obtained during the investigation. Only a very small number of these children are from dependent families. A careful investigation of the records of the Charity Organization Society shows that of the 1,000 newsboys investigated, the names of but sixteen families are found, and of these sixteen, eight applied for the privilege of a vegetable garden, of the remaining eight only four received direct help, such as coal, clothing or food.

Few of these children are even half orphans; of those under ten years of age, twenty-one out of 127. Many do not contribute to their own support or that of the family. In certain instances

children were found to be the chief support of a family, but even in these cases it would be much better for the city to assist in supporting the family now, than to be compelled later to pay the price of a ruined character and a criminal life. The following paragraph illustrates the point in question:

There are two families bearing the same name, related to each other, one living on East, the other West Taylor street, who have been known to the different children's societies for many years. Ever since the Juvenile Court has been established one or more members of these two families have been before the court every three or four months. Every male member of the West side family has been in the John Worthy School. One of the boys is now at Pontiac, to remain until he is twenty-one, the third son sells papers on the street, but seldom goes to his home. He can be found almost any night, late, loafing around the American Newspaper restaurant, where he gets his meals and sleeps on the floor. The youngest member of this family has been sent to the Parental School. The father is dead, the mother demented, and all the money that has gone to the support of the family has been earned in the newspaper trade.

Some children sell papers through the coercion of selfish parents. During the investigation, a well-dressed Italian was seen standing on the corner of Adams and State streets watching his three sons selling papers. The three boys, aged respectively, fourteen, ten and eight, earned jointly \$2 a day. The father stood by to prevent any investigation of their earnings or school attendance, yet there seemed to be no desire on his part to participate in their labors. In the majority of cases the boys do not have the protection, even of the fathers, but are left to the mercy of the street.

The investigation disclosed the fact that the newsboy is peculiarly subject to dangers of this sort. He is the only working child whose occupation offers an excuse for remaining on the street at night, while apparently pursuing a legitimate industry. Although the city is full of unscrupulous men, it is toward the newsboy that such a man may most easily hold the advantage of an employer of boys under fourteen. Besides this he has an opportunity of employing boys who are already enervated by irregular hours, improper food, and where sense of decency in many cases has been broken down by life on the street at all hours of day or night. Instances of this kind are of frequent occurrence, although they are seldom



made public. The police have direct evidence that a newsdealer, who had a prosperous corner on Halsted street, hired eight young boys, working for him at a percentage of one cent for five papers sold. This man required the boys to come to his room to receive their pay, and there committed violence on each of the eight boys, most of whom were under fourteen years of age. A newsboy who was brought to the John Worthy School was found to be suffering from disease. An investigation instituted by Mr. Sloan disclosed the facts as stated above. The case never came up in the courts, as the man disappeared from the city when he discovered that there was such damaging evidence against him and the authorities have been unable to find him.

Mr. Sloan, the superintendent of the John Worthy School, authorizes the statement, that "One third of the newsboys who come to the John Worthy School have venereal disease, and that 10 per cent. of the remaining newsboys at present in the Bridewell, are, according to the physician's diagnosis, suffering from similar diseases."

The newsboy, as well as the messenger boy, and American District Telegraph boy, on account of his availability is frequently found in the "red light" district, and as a messenger boy for men and women of dissolute character, learns the very worst side of the city's life. He knows many of the professional prostitutes by name, and has become attached to them by presents of fruit and candy.

Mr. Sloan also states, that "The newsboy who comes to the John Worthy School is, on the average, one-third below the ordinary boy in development physically." This is to be accounted for by irregular days and sleepless nights. The strongest under these conditions cannot long hope to compete with the boy who has a normal amount of sleep and who does not lack for proper food at regular intervals. If boys under ten are required to rise at 4.30 or 5 a. m., they have been under four and one-half hours' excitement and labor before entering school, where for five hours they are to be engaged in more or less mental effort. Then many of the boys distribute papers by the route system in the morning, also sell papers in the evening, beginning in such instances the labor and excitement of their trade immediately upon leaving school, lasting for an average time of three hours, making a total daily activity of over twelve hours.

The physical danger of the child varies with his age. We must not and cannot treat him like a man, for the youthful organism is particularly susceptible to physical abuse. The excitement of the street stimulates unnatural desires on the part of the boy. He sees the men about him participating in questionable pleasures and soon learns to follow their example with disastrous results to himself.

No better illustration of the results of the irregular life that many of the newsboys lead could be given than that of G., an Italian boy, who lay dying a few weeks ago in a West Side hospital. G. left his home in Italy before he was quite seven years old, and in company with an older brother, came to Chicago twelve years ago. They secured a downtown corner, in a good location, and were soon earning enough for their own support, as well as that of the family in Italy. After they had been here for several years the older brother returned to his native land to bring over two more brothers to help out in the trade. Business was good, and as G. grew to manhood he began to find various amusements for his leisure hours. During the slack hours of the day the younger brothers could easily take care of the stands, and G. formed associates that led him into the worst forms of vice. A contracted disease sent him across the ocean to the home in Italy, in the hope that the sea voyage and the air of his native hills would renew his strength. In less than a year he was back at his old stand. One of the younger brothers had gone wrong, had been sent to the John Worthy School, and the elder brother was employed as a driver on a route for one of the big daily papers. The old stand demanded now long hours of exhaustive work. Wrecked by disease as he was, he proved ill-fitted to withstand the rigors of a Chicago winter on the open street. Before spring he was brought to the hospital. The physician who examined him said, "The old story; whiskey and disease, lack of proper food, the constant exposure, they have all done their work. His span of life had been brief and the price he had to pay for its meager pleasures high. Dying at nineteen. The pitiful part is the waste and useless expenditure."

Among the 1,000 newsboys examined, there were 75.1 per cent. who came under the compulsory education law. Of these, 662 gave the name of some school they were attending. Subsequent investigation of the information thus given proved the statements to be

generally true. It was found, however, that in many cases their attendance was so irregular as to amount to truancy.

Authorities on truancy agree that the street trades are the chief support and resource of truant children; requiring practically no capital, and demanding no recommendation, they are open to all alike.

In the minds of the parents who have little or no education themselves, the school is naturally made subordinate to the pecuniary gain of the child in selling papers, even if at times it is a mere pittance. The boy is made to feel at an early age that his value is determined by the money he can earn on the street. The school is the place that demands his time for some of the best hours in the day. He cannot see the relation between the school and his daily trade, and in most cases he assumes that the school is his enemy. To the boy accustomed to the street, school soon becomes irksome. The freedom of life appeals to him, the very busy hours are soon over and there is time for loafing and idling with other and older boys, and it is in such idle hours as these that the vices that are later to prove the ruin of the boy are contracted. The secretary of the probation court officers states that "there are one hundred and forty-three newsboys in charge of the officers of that court," and adds, that "the first offense of almost every boy that she has had to deal with has been truancy."

The boy who is out at four, or even earlier, in the morning either to deliver papers on a route, or to sell on a corner, is breaking into hours of sleep that the young and growing body is much in need of. The energy expended in the first spurt of selling or delivering his papers leaves him unfitted for the school room when he reaches there at nine o'clock, the reaction sets in, the body demands rest, and the quiet monotony of the school room is in such marked contrast to that of the street full of life and motion that the study of books seems more than ever a drudgery, and the desire to get away from it more than ever intense.

In Chicago the large proportion of papers are sold outside of school hours. The morning papers are generally of little value after nine o'clock, and the afternoon editions are mostly in demand after three o'clock, so that the school boy has no legitimate excuse for being on the street during the time school is in session. During the day, however, the truant boy could get the early edition of the



*American* at 9.15, the twelve o'clock edition of the *News* at ten o'clock; at 1.30 the three o'clock *News* and five o'clock *American*; and at 2.30 the five o'clock *News* and night edition of the *American*, all of which come within school hours.

Gaming is unquestionably a most common vice among newsboys. Selling newspapers does not make the boy gamble, and it cannot be said that gambling is peculiar to newsboys, yet here the opportunities seem largest. Where money is ready at hand and more is to be easily had, its value is seldom recognized. It is very easy for the boy to "chance it" with the hope of greater gain, when at various times during the day and night he is brought in contact with many boys who are likewise inclined. Gambling in the downtown district takes various forms. "Shooting pennies" is the most common, although "craps" takes a large part of the earnings. In this way the income of the whole day may pass through the hands of a number of boys in a few moments.

A Juvenile Court officer, who investigated the case of sixty newsboys, found that fifty-two out of the sixty did not assist in the support of their families. Another officer says, that "most of the boys under twelve years of age sell papers for spending money, and bring little of it to the house." The money earned and spent in such a way can necessarily have very little value to the boy, and as an educational factor would prove of greater harm than usefulness in determining his subsequent career.

The racing form and "stable-boys racing tips" in sealed envelopes can be found on most of the news stands, although Chief O'Neill has given orders to the police officers to confiscate them whenever found on the corner stands. This stopped the sale for a short period, but at the present time they are much in evidence. The boy becomes familiar in his business with the processes and equipment of gaming, he sees the corner man participating in the great game of chance and sees no reason why he should not do likewise. He learns very readily to play "policy," a game that gives the chance to win very large amounts at a very small outlay. When once the boy has selected the winning numbers, however, the die is cast, after that a large portion of his earnings go to the game.

The Harlem race track is a Mecca for many of the betting newsboys in the downtown district. They learn the betting game on the street. They find the large opportunity on the race course

where they can sell their papers, racing forms and programs at a much greater price than elsewhere. They do not stop here, however, but make their pools on the races, and even bet with the book-makers, if they can find some one to place their bets for them. This is particularly true of the younger element of the Americanized Italians and Jews. They have caught the betting spirit, it is the frequent subject of their conversation and costs them no small part of their earnings. Saturday, September 12th, the investigators found from thirty to forty boys selling papers at Harlem, some at the gate, others on the betting floor.

The semi-vagrant is present in the business of selling newspapers because he finds here the easiest way to earn money to sustain his irregular life. During the first three weeks in September, the alley in the rear of the *Chicago American* was visited no less than seven times, by different persons interested in the investigation, and on each occasion there were at least forty and sometimes seventy-five boys, many of them under fourteen years of age. They are smoking cigarettes, eating, sleeping, fighting or "shooting crap," towards morning the most of them will be found sleeping on the floor waiting for the morning editions. Some of these vagrants are foreigners, but a large number are American born, runaways from this and other cities, making their headquarters at this place, sure of a welcome on the restaurant floor. There are no class distinctions here, white and black, American and foreigner, share the same lot. The vagrant can live on fifteen cents a day if he chooses. A cup of coffee, all the bread he can eat, and a stew, to be had for five cents. If he is more fastidious, a bed can be secured in the neighborhood of West Madison street for five cents, making a total daily expenditure of twenty cents. Even the youngest newsboys earn more than this without any great effort, and many of these semi-vagrants, or "sleepouts," earn from a dollar to two dollars a day. By selling extras on the side street some of the older boys earn a dollar in a few hours, and yet these same boys were seen on several successive nights sleeping out in the alley.

The question naturally arises, where does the money go? The answer can be found in the training of the street boy for gambling, and that period of inertia which follows the possession of money when the boy refuses to work as long as he has the means of sustenance. A very small percentage of the earnings, either at the

corner stand or on the street, finds its way to the home or to some useful purpose. In News alley the earnings change hands many times a day, "easy comes, easy goes," seems to be the power that animates the boy vagrant, and it certainly gives him a chance to learn the most dangerous side of life.

Probably no one familiar with juvenile delinquency can seriously doubt that any child that tires of parental or school restraints can go downtown to borrow or beg a "stake," and by joining a "gang," live the exciting and ever-degrading life of the streets. The immediate cost of this pernicious license falls most heavily upon the families of the foreign poor. There is no story more tragic in the annals of life in Chicago than the break between the American boy of foreign parentage and his tenement home. The foreigner's child, even though born abroad, after two years in the public school, is to all intents and purposes an American, while his parents remain European peasants. The mother quite probably speaks no English, and the father just enough to understand his Irish foreman. The boy learns to discount his parents' ignorance, and they misunderstand and half fear his strange new world wisdom. The boy, becoming impatient of their restraint, runs away, sleeps out a night or two, maintains himself by selling papers, likes the license and excitement of the street life, and his home knows him no more. He is now easy game for the experienced vagrant or sneak thief.

A typical case, taken from the records of the Chicago Municipal Lodging House, is that of Peter X. He was found about two in the morning, on one of the coldest days of last winter, sleeping in News Alley. In the morning at the Municipal Lodging House, he claimed that he had no home, was an orphan boy and had come to Chicago from Milwaukee. Later he was persuaded to tell the truth, which was to the effect that he lived on West Ohio street, and was a truant from home. A visit to his home discovered that Peter was the eldest of a family of five, recently emigrated from Italy. It was the old story of the break between new world wisdom and old world restraints. Peter had not been home for six weeks.

The effect of the license of the street in this case was to take from this peasant home its most educated and capable member, and to give to the downtown "kip outs" a new recruit. So far from adding to the family maintenance he shirked his duty.

Girls have long been selling papers in Chicago, so long indeed



that the fact seems to have passed unnoticed. The investigators saw twenty, and a moderate estimate puts them at three times that number. They are mostly Italian, with a few Germans. At one time an attempt was made to stop the girls by refusing to sell them papers, but they were able to obtain them from stands, since that time there has been no further effort to prevent their selling. A little girl who began to sell papers when eleven years old, built up a large trade in the neighborhood of Madison and Halsted streets. For more than two years she sold papers there with great success. She was quick to see the customer, simple and childlike in her replies and gained many friends. At times an older brother came with her to her corner, but generally she came alone. Gradually she lost the simplicity of the early days, she was pert in her answer and brazen in her request. She would saunter into the saloons with the men and drink "pop" with them at the bar, finally her brother saw that she could stand that kind of a life no longer, and she was taken from the street.

A little black-haired Italian girl, who still retains some of the simplicity of childhood, has taken her place. She earns fifty cents a day, and with her three sisters practically supports a crippled father. It is, however, almost criminal for a city to allow a child to be exploited in such a way.

These girls, most of them under thirteen, and some of them only nine or ten years of age, go daily to News Alley to secure their papers. Those who go for the *Daily News* are treated as privileged characters, they are not allowed to stand with the newsboys, but are given their papers in a separate room. At the *American*, on account of lack of space, these papers are distributed from the club and lunch rooms, where the boys and girls obtain their papers from the same window and mingle in the same crowd. The little girls make good sales, they are very persistent and follow a customer until he buys from them. Some earn as much as fifty cents in an afternoon. They do not hesitate to carry their papers into the saloon, in fact they frequent the saloons and are much more welcome there than the boys. The strange incongruity appeals to the frequenters, and it is here they make their most ready sales, but at what cost it is not difficult to determine.

The small boy, the semi-vagrant and the small girl, these three create the problem of the street. If we leave the street without

protection we shall have new problems with each passing year. It is obviously the duty of every American city to face this situation without delay. The conditions in Chicago are no worse than in a multitude of other cities in the East and West. A census of newsboys taken on the streets of Buffalo during the month of March, 1903, which aimed to be representative of the 2,000 newsboys in that city, showed that out of the 328 boys, 273 or 83 per cent. were under fourteen and eighty-four or 25 per cent. were under ten years of age. Out of these eighty-four it was found that three were orphans. There were only eight full orphans and twenty-two half orphans out of the 328 who were examined.

Although the dangers of the street trades are not determined alone by the size of the city, it is nevertheless true that in a city where there are many editions night and morning the chances of abuses are increased many times. New York City has seen this, but has delayed long to seek remedies despite the almost unanimous support of the press. It is a sad commentary on our city civilization that the street child has not been cared for before this. It is difficult for the uninitiated to realize the number of children who are subject to the temptation of a city like New York, or who are lacking in those restraints of home and school which are so necessary for the development of a strong character. The results of this life are repeated almost without the slightest variation. The New York Juvenile Asylum reported, "that out of the 311 boys who had worked at various trades prior to their commitment, 125 or 40 per cent. had been newsboys. Out of this number, eighty had begun between four and twelve years of age." The hospitals, the public schools and the courts all have the same story to tell of diseased bodies, of incapacitated minds and bad morals, the gift of the street to its unrestrained children.

The attempts to remedy this condition have been few in number and rather unsatisfactory in results. In 1902 Boston adopted a system almost identical with that used in Manchester, Liverpool and London, England. The city ordinance of Boston provides that "no minor under the age of fourteen shall, in any street or public place in the city of Boston, work as a bootblack or sell or expose for sale any books, newspapers, pamphlet, fuel, fruit or provisions, unless he has a minor's license." The regulation of 1902 provides, "that the principal of a school or a district in which a minor under four-

teen is a pupil, shall receive the application in duplicate of the parent or guardian of such a minor or of any responsible citizen of Boston, and shall forward the same to the superintendent of schools, accompanied by a certificate of the teacher in whose class the minor may be and the principal of the school stating that they approve the granting of such license to said minor." No minor shall work as a newsboy or as a bootblack unless he is over ten years of age, and shall not sell any other article unless he is over twelve years of age.

The legislature of New York, in April, 1903, amended the labor law relating to children employed in the streets and public places in cities of the first-class (New York and Buffalo). The amendment, "that no male child under ten and no girl under sixteen shall in any city of the first-class sell or expose for sale newspapers in any street or public place. No male child, actually or apparently under fourteen years of age, shall sell or expose for sale unless provided with a permit and a badge." No child to whom such a permit and badge are issued shall sell papers after ten o'clock at night.

These laws are both definite and comprehensive. They mark a welcome advance in preventive legislation. Their enforcement, however, has been a very difficult problem. Many methods have been tried. The Boston law was to be enforced by the board of aldermen. This proved unsatisfactory, and in 1902 a law was passed, transferring the licensing of bootblacks from the board of aldermen to the school board. The committee on newsboys reported in 1903, "that three-quarters of the boys do not obey the law, and its agents on fourteen consecutive days in September, 1903, made observations with the following results: Number of boys not having badges in sight, 140; number having no badges or license, 63; number selling for other boys, 10; number under age, 33; number selling after 8.30 p. m., 117.

As a result of this investigation a special officer was appointed who had special charge of the enforcement of the law. Subsequently considerable progress was made. During the past year there have been sixty-five arrests, all of which except one have been fined. Nine have been arrested for not having their badges in sight. Thirty-seven were unlicensed and ten were arrested for congregating on the street. There have been but four who have been arrested for the second time and two for the third.

The enforcement of the law in New York has been timid and



ineffectual. During the first few days after the law went into effect in September, 1903, the city and the street took it seriously. Then it was discovered that the public schools could not even seat those who had already applied. There was little room for the truant newsboy even if he had been anxious to attend school. The result was a system of half sessions. This was the first excuse. For whenever a boy was found in the morning on the street, he invariably belonged to the afternoon division and vice-versa. The truancy force was too small to enforce the compulsory education law as it should be enforced. The number of violations was constantly increasing and the police were only making sporadic attempts to check the return to old conditions. The result was inevitable, and New York added just one more to the number of her disrespected laws.

In Buffalo the same law had a better effect. The truant officer who distributed the permits for the Board of Education was also a member of the juvenile court, thus assuring the co-operation of the two. The boys whose labor was chiefly affected by the new law worked within well defined limits. One thousand eight hundred and sixty boys applied for permits. A much larger number than was thought to be engaged on the street of that city. These boys received the careful attention of the school authority, as well as the police. The principals of the public schools testify that there was an immediate and continuous decrease in the amount of truancy.

The small boy disappeared almost entirely from the street and the vagrant and truant newsboys were not difficult to detect. Although there may be a few violations of the law in that city, the character of the street trades has materially changed. This is due largely to the fact that the school authorities have taken a hand in the enforcement and have not left it entirely to the police. Even the casual observer who is unfamiliar with the law has seen and commented upon the great change that the law has made in that city.

The laws of Boston or New York are well adapted to the needs of any city, no matter what its size may be. The universal adoption of this law in other American cities would do much to obviate those abuses which are so familiar to the streets of the American cities.

NEWSBOYS OF CHICAGO.<sup>2</sup>

TABLE I.

AGE AND NATIONALITY.

AGE.	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	Over 21	Total.	Per cent.
Italian.....	1	3	8	10	20	28	23	33	21	25	13	8	4	4	6	2	.....	2	211	21.1
American.....	.....	2	2	9	12	21	26	36	31	18	13	13	8	6	5	3	.....	3	208	20.8
German.....	.....	.....	.....	10	12	19	18	33	44	22	9	9	7	1	3	.....	.....	.....	180	18
Irish.....	.....	.....	.....	6	10	14	15	23	16	4	11	8	1	2	.....	.....	.....	.....	113	11.3
Negro.....	.....	.....	.....	.....	.....	.....	.....	2	.....	.....	.....	.....	.....	25	25	6	1	1	79	7.9
Scandinavian.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	2	2	.....	.....	.....	58	5.8
Jewish.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Polish.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
English.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Bohemian.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Dutch.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
French.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Canadian.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Greek.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Scotch.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Arabian.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Austrian.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Danish.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Lithuanian.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Rumanian.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Syrian.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Totals.....	1	5	16	37	68	99	103	178	149	95	67	48	28	46	39	11	2	8	1,000	100

<sup>2</sup> A study of street trades conditions in Chicago, made under the auspices of the Chicago Settlement Association, Miss Jane Addams, Chairman, September, 1903.

TABLE 2.  
PARENTS.

Age.	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	Over 21	Totals.	Per cent.
Both living .....	1	4	13	32	56	84	85	163	115	81	56	34	13	36	18	8	1	3	803	80.3
Father dead .....	.....	.....	1	5	10	2	15	8	18	11	4	5	6	4	6	.....	.....	.....	97	9.7
Mother dead .....	.....	1	2	.....	2	4	3	7	11	3	6	9	8	.....	13	3	.....	4	74	7.4
Both dead .....	.....	.....	.....	.....	.....	9	.....	.....	5	.....	.....	1	1	6	2	.....	1	1	26	2.6
Totals .....	1	5	16	37	68	99	103	178	149	95	66	49	28	46	39	11	2	8	1,000	100

## AVERAGE DAILY EARNINGS.

No. of boys .....	1	5	16	37	68	99	103	178	149	95	66	49	28	46	39	12	2	8	1,000
Total earnings .....	\$0.10	0.76	3.01	7.40	26.13	26.30	32.55	56.87	55.96	52.25	42.37	44.67	18.15	51.39	40.55	18.95	3.50	15.75	496.57
Average earnings...	.10	.15	.19	.20	.38	.27	.31	.32	.30	.55	.64	.90	.65	1.10	1.04	1.58	1.75	1.97	.50

The earnings are given in dollars and cents.

## SCHOOL ATTENDANCE.

In school .....	.....	5	13	35	65	92	90	168	120	65	34	26	9	11	9	2	.....	.....	753
Out of school .....	1	.....	3	2	3	7	13	10	20	30	32	23	19	35	30	9	2	8	247
Totals .....	1	5	16	37	68	99	103	178	149	95	66	49	28	46	39	11	2	8	1,000

## WORKING HOURS.

Aggregate hours ...	4	19	62	128	210	304	380	695	617	517	315	285	211	319	284	17	16	71	4,553
No. of boys .....	1	5	16	37	68	99	103	178	149	95	66	49	28	46	39	11	2	8	1,000
Average hours .....	4	4	4	3½	3	4	4	4	4½	5	5	6	8	7	7½	7	8	9	4½



## THE TEST OF EFFECTIVE CHILD-LABOR LEGISLATION

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Effective legislation may be tested by either of two standards: the ideal or the practical. It is not ideally effective unless it adequately protects childhood from the various forces which either blindly or selfishly prey upon its birthrights. The proprietor of a large glass-blowing establishment recently stated with frankness the adaptability of children to this business and naively added: "The work takes a little fellow that's nimble and can handle himself." As long as we permit this industry or any other to take "the little fellow" for its own interest, regardless of his higher value to himself and to society, we are far from applying this standard of effectiveness. Holding this as the ultimate aim we must approach it practically.

From this second viewpoint legislation is effective if it carries within itself the possibility of enforcement, however low or high its standard may be. It is sometimes supposed that low standards as to age, physical fitness, educational efficiency, and laxness as to the number of hours children may be employed, are standards that can be maintained without difficulty. Investigation proves, however, that the tendency to transgress is stronger against low than against high standards. In Rhode Island, where a twelve year age limit is legal for work in the mills, and school children of twelve may be granted a certificate to labor upon the recommendation of the overseer of the poor, it would seem that a standard so low would invite universal obedience. On the other hand it is found that there are townships in which no effort is made to enforce even this minimum requirement, and children ten and eleven years of age are found in the mills, while of the twelve year old children only a few appear ever to have heard of such an article as an age or schooling certifi-

cate.<sup>1</sup> In Pennsylvania, where the only educational test is of the ability to read and write simple sentences in the English language, many communities are to be found in which numbers of entirely illiterate children are employed, the intellectual standard being so low as to invite a contemptuous indifference to it by those authorized to apply its provisions.

Legislation, to be effective, must express the collective will of the people. I might call it the "composite" will of the people, for it must be neither the idealistic opinion of the reformer, nor the opinion of a self-centered commercialism. In these days of betrayed legislation it is difficult to determine whether the statute laws are really the voice of the people. If they are, and still are hopelessly inadequate for the protection of childhood it is useless to immediately attempt advanced legislation. The only remedy is to enlighten and educate public opinion to a proper appreciation of child values. But if the legislation is found to be lower than the plane of public opinion, then it must be changed in conformity with that opinion and with certain well-defined principles.

A comparison of two townships in the same state, under the same laws, showed that while in one township the law was almost entirely ignored and children were sacrificed by a combination of parental ignorance and industrial greed, in the other township both parents and employers joined with the school authorities in maintaining a standard quite above the legal requirements and, although the age limit for factories is twelve years, and the maximum age for compulsory school attendance is thirteen, with special exceptions for a lower age, the children of the community regarded fourteen years as the minimum age to leave school and enter the factory, and but few children under that age were to be found in the several large textile mills of the township.

A few of the principles to be recognized in testing legislation are the following:

I. Legislation regulating child labor must harmonize with other legislation affecting the same class in society. The aim is not just to keep the children from working, but to produce intelligent citizens. To this end we must legislate in harmony with the school laws.

<sup>1</sup>Since the above was written the law in Rhode Island has been amended, raising the age limit to thirteen, to be amended to fourteen on January 1, 1907, prohibiting the employment of children under sixteen at night, and requiring proof of age.

The school law is as much a matter of concern as a child labor law itself. It is *child* legislation we are seeking. An effective statute will then provide authority for the investigation of all children within the limits of school age. Because of loose construction the duty of the truant officer is often interpreted as limited to the investigation of truancy on the part of children already on the school roll. This leaves an enormous body of children unaccounted for. The superintendent of schools in one Rhode Island township affirms that there are in that township 1,168 children of school age of whom there is absolutely no official record and no way of accounting for them, while the Pennsylvania Child Labor Committee is responsible for the statement that "in Philadelphia alone there are, after deducting those physically unable to attend school, 16,100 children between the ages of eight and thirteen out of school," and it is not unlikely that a thorough investigation would prove similar conditions in other of our large cities. These armies of children may be in the factories, they may be on the street; they fall through between the truant officer and the factory inspector because of this lack of harmony and completeness in the laws. To be effective, legislation must take account of all the child life in the community.

Also in the educational requirement for labor the standard should agree with the school law. Because of the influx of foreign population the war is beginning to wage hotly over the English qualification. From the standpoint of American citizenship I think I am right in saying that the surest way to make a compulsory educational qualification ineffective is to substitute the words "any language" for the words "English language," as is at the present time seriously proposed in one of our Northern States.

Not only should these laws harmonize in order to be effective, but there is required the most complete harmony between local child labor committees and the educational forces, or the best legislation will fail.

II. Effective legislation will be based on industrial, rather than geographical boundaries. Where the same industries under similar conditions prevail, the difficulty of securing adequate legal protection in one state is increased if in a neighboring state a lower standard is maintained. The fact is clearly proven by a field study of the glass industry in Western Pennsylvania, Eastern Ohio and the pan-handle of West Virginia. Ohio has a fourteen year age limit for the



employment of children, Pennsylvania a thirteen year limit, West Virginia a twelve year limit. Ohio prohibits the employment of children under sixteen at night, Pennsylvania permits the employment at night of children of thirteen, while West Virginia permits children twelve years old to work at night.<sup>2</sup>

The effect of such a situation is that the manufacturer in Western Pennsylvania, when approached on the subject of the restriction of night labor for children, replies with a threat to move over into West Virginia if such a law is enacted, thus frightening legislators into inactivity, while in Eastern Ohio, along the boundary line, which is thickly dotted with glass factories, children are confessedly employed at twelve and thirteen years of age at night upon the plea that the industry cannot compete with West Virginia and Pennsylvania if the law were rigidly enforced. The unity of the entire "Pittsburg District," including Eastern Ohio, Western Pennsylvania and Northern West Virginia, in commercial and industrial interests, suggests the necessity of such legislation governing child labor as shall recognize this similarity of conditions, rather than the arbitrary division of state boundaries. The present high standard of legislation on child labor cannot be made effective or be maintained in Ohio unless West Virginia adopts a higher standard than the present, and Pennsylvania takes an advanced step toward the restriction of night labor.

III. The law must provide adequate machinery and agencies for its enforcement. The law regulating the employment of newsboys in New York City has failed through two defects to establish the purposes of those who advocated better legislation for these little street merchants. The standard is too low, permitting boys of ten years of age to earn their livelihood on the streets, because the public can hardly be expected to take a lively interest in the enforcement of a law for the protection of children nine years of age, which offers no protection to those of ten! But where the standard is higher the law still fails at the point of method of enforcement. Un-uniformed school officials should be empowered to carry out the provisions of this statute and an appropriation sufficient to warrant the employment of a large force of such officers should be readily granted. The uniformed policemen, already burdened by duties

<sup>2</sup> Since the above was written the law in West Virginia has been amended, prohibiting the employment of children under fourteen during school terms.

popularly regarded as more appropriate to the strength and disposition of a quasi-military force, are hardly to be expected to arrest ten-year-old newsboys and drag them to the police station for the crime of selling newspapers under age. Even if they were so disposed, those of us who remember the days of boyhood are aware that a small urchin can detect the approach of a stalwart policeman at as great a distance as the policeman can see the boy.

In states providing that certificates of age and educational attainments may be granted by notaries public it has been found frequently true that such officials, having no interest in the matter beyond the collection of the pittance allowed for the clerical work, have reduced the law to a formality, issuing certificates to any who applied regardless of the facts, and cases are on record in which the notary was actually incompetent to determine whether the applicant was able to read and write simple sentences in the English language.

The law must also provide for sufficient tenure of office and sufficient remuneration for those appointed to enforce its provisions. It need not surprise us to find that truant officers whose duties call them to cover a territory of thirty or forty square miles, with a population of above 25,000, and who are paid a salary of \$200 a year, are not uniformly the most competent people in the community, or those to whom the sacred office of monitor to childhood should be committed.

IV. Legislation should definitely prohibit not only the employment of young children but their *permission* to work. The name of every person working on the premises, whether that person is officially employed or is simply "permitted or suffered to work," should appear on the roll of the firm or corporation. Otherwise factory inspection is a farce.

In states failing to make this definite prohibition little children, sometimes pitifully young, have been found in the mills and factories working as helpers of older members of the family. They are not technically employed, the employer has no official knowledge of their presence in his factory, they receive no wages and are not counted among the workers, but the fruits of the toil of these infants appear in the wages of the mother or sister, and their little fingers are thus early made bread winners for the family.

V. The responsibility of duties in respect to the law must be made to rest upon the strongest members of society rather than upon the weakest. Laws which would otherwise prove effective are vitiated by the failure to recognize this simple principle. The law in Pennsylvania provides that no child under sixteen can be employed unless he presents a certificate sworn to by his parent that he is thirteen years of age or over, but no proof is required from the parent to substantiate the affirmation or oath. The law thus constructed invites perjury. In many localities the parents concerned are those whose own experience is utterly devoid of knowledge of the value of an English education or an American standard of living, whose conception of the value of a child is measured by his present earning capacity. To issue an age certificate to a child, based on the unsupported oath of such a parent is to subject that parent to a temptation which falls heaviest upon the weakest and which increases in direct proportion to the parent's incapacity to withstand it.

And, finally, we shall perhaps best understand the close relation our problem bears to other of our great social problems by a consideration of some of the alleged reasons for employing young children, and which help to render legislation ineffective. The excuse most frequently met is the plea for the "poor widow" who will be left without support if her little boy and girl are taken from the factory or store. In every community she is found, and the advocates of her cause are both numerous and powerful. Men of commanding position in the community, as business men and as philanthropists, openly avow the justice of the employment of children of tender years, in labor that dwarfs the body and stifles intellectual growth, because the poor widow would suffer for bread if they were to be emancipated. The plea is a plausible one, but the facts do not justify its claim. Only a small proportion of those whose little children are employed at hard labor are "poor widows," and for these we dare believe society can better afford to make adequate and honorable provision, recognizing their service to the community in the care of their own young, rather than that the young, the only real wealth the community can boast, should be made a meat offering to the hunger of the parent. Let us forever put to shame this brazen slave-master of childhood which poses as philanthropy by showing that whatever the sacrifice, the children of our generation shall not be made the means of livelihood to any member of the community.



Let us publish the revised version of the offerings dedicated to our modern temple of industrial prosperity, and as we sit over against the treasury and see the great and the wealthy cast in their stocks and gold and machinery, let us not fail to see the poor widow who comes, misguided it may be by the industrial superstitions of her day, and casts her two little children into the roaring temple of industry. As they fall, fall beyond recovery, well may we exclaim, as did the Master at that other temple, "I tell you she has cast in more than they all, for they of their abundance have cast in, but she of her want hath cast in all that she had, even her very life!" Proper and systematic methods of relief will prevent the loss of a child's future value to society for the sake of the paltry ninety-three cents a week, the wages actually found to be paid to young children to-day in some of our prosperous northern mills.

Another excuse is that expressed by one glass manufacturer who affirms that he employs young children partly for the purpose of teaching them a trade. The establishment of public trade schools will take away this excuse and will furnish a constructive program of the largest possibilities. The best way to make legislation effective is through the children themselves. They want to go to work. They prefer the factory to the school. There is a sense of personal independence in the young child who can look upon himself as an economic factor in the life of the family. We must so develop our educational system, not through detention schools, not through penal institutions; but through the regular public channels of education, as to feed this practical instinct and cause the child to feel that the training he receives is practical, that he is really gaining that which will advance him materially faster than the same time spent in shop or factory. A little boy met at daylight a few weeks ago as he came out into the frosty morning from one of our New England factories, was asked if he preferred the factory to the school. "Sure," was his quick reply; "de school ain't no good; dey only learn you to write pictures, dat's all; dat's all dey ever learnt me!" He was earning \$1.10 a week for ten hours a day, two days in the week, and loafing the other days. He left school from the first grade and was entirely illiterate. I do not mean to suggest that his criticism was just, for he was too limited in experience to be competent for expert judgment, but confessedly to "learn" a boy "to write pictures" when he had passed to his thirteenth year and is large enough to

have an economic value in a mill, leaves something to be desired. Nor do I mean that we should limit our schools to technical training, but that we should provide at least enough to establish the connection in the child's mind between education and industrial productivity.

This summary of the varied causes of the ineffectiveness of legislation, gathered from the experience of a field study of the problem, is intended only to point the path to that ideal standard of legislation suggested at the first—an expression of the collective will of the people so high in principle and so perfectly adapted to realize itself in fact that it shall accomplish the *adequate* protection of *all* children.

## CHILD LABOR LEGISLATION AND METHODS OF ENFORCEMENT IN NORTHERN CENTRAL STATES

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BY HALFORD ERICKSON,  
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The enforcement of child labor laws is, in effect, an attempt to reconcile by law two apparently diverging economic interests. The child labor problem has been co-existent with the growth of manufacturing and early required the attention of state legislatures. Half a century ago child labor laws were found on the statute books of some of the Northern and Central States. These early efforts were crude and ineffective, but they formed the nucleus of the present fairly comprehensive systems which have to a large extent allayed the evils of child labor.

From the outset these laws have had to contend with a large variety of deterring influences. Manufacturers with the ever increasing desire for high profits, the lack of sympathy for the laboring classes, and in many instances the honest belief that child labor was necessary for the continuance of their business, together with the natural opposition of the employees who considered such laws as an infringement upon their personal liberty and privileges, made difficult the enactment of proper laws, and because of which enforcement was practically impossible. With the rapid growth of manufacturing in these states public opinion and the majority of the employers have come to understand the necessity and eminent fairness of restrictive legislation.

The development of the child labor laws has been in many instances a series of compromises. Nearly every step forward was gained by the sacrifice, temporarily at least, of some provision which in that respect was a regressive movement, so determined was the opposition. One state after another adopted measures which on their face appeared to reach the difficulty, but which failed of their purpose because they lacked the first essential of a successful child



labor law, an appreciation of the weakness of human nature, and adequate provisions for enforcement. Our whole experience with law and order demonstrates that to arouse public interest in the child, to awaken from lethargy the public official to the realization and confession that a genuine evil exists, is a comparatively easy matter; but to crystallize this sentiment into law, to enact a system of corrective legislation supplemented by adequate machinery of enforcement is a proposition fraught with no little difficulty. It has always been easy to convince, but hard to persuade.

The gradual growth of this class of legislation in the Northwest from the earliest efforts down to the present time can best be observed by tracing the development in one particular state and comparing the problems and the attempts at solution with similar tendencies in the neighboring commonwealths. The state of Wisconsin will be taken for this purpose, first, because of its varied experience with child labor legislation, and, secondly, because through its remedial statutes it has constructed probably one of the most effective systems.

Wisconsin first recognized the child labor problem in 1877 by a law which prohibited the employment of children under 12 years of age, during the school year, in factories where conditions were deemed injurious to their health. The law was a failure, so far as results were concerned, because of its indefinite application, low age limit, and its failure to provide any effective means for enforcement. It only provided that district attorneys should prosecute violations on complaint, but there being no one charged by law with the duty of investigating the places of employment, few complaints were made, and the law was very generally disregarded. Amendments in the following year made the law more definite and certain, but still provided no means for enforcement. The legislature failed to realize that men who see a pecuniary profit in violating a law will not desist simply to satisfy their conscience as to the commission of an act merely prohibited and made illegal.

In 1883 the bureau of labor was created and charged with the duty of enforcing the law, but was given no facilities for doing so. This act was an important step, not so much for its own provisions, but in that it provided a framework about which to erect the machinery for enforcement which it was seen would have to be adopted in the near future if the child labor law was ever to become more

than a mere threat to the violators. In 1885 a factory inspector was provided for, but as his duties went no further than to post the law in the places of employment inspected by him, his influence was really small.

In 1889 the legislature made a general revision of the child labor laws. The age limit was raised to thirteen years, and the law extended not only to factories, workshops and mines, but also to stores, places of business and places of amusement. This measure by its increase in the minimum age limit, and extended scope, represented a considerable advance in the accepted views as to restrictive legislation, but the one positive essential to a successful and adequate means for enforcement, was still lacking.

Another weakness of the law of 1889 was the introduction of the permit system. While it made unlawful the employment of children under thirteen years of age, it authorized the county judges to grant permits at their discretion, excepting from the operation of the law children over ten years who could read and write English. It was the intention of the permit provision so to modify the law as to enable persons really in need of the earnings of their children to get early assistance from this source. This system presupposes that the officer granting the permit will make an investigation of each particular case. Since in practice, the only source of information to the judge is the applicant himself, it was not surprising that the prospect of exemption from the law should awaken a disregard for the truth, and the officers be overwhelmed with tales of misfortunes. The judges, whose regular duties already more than occupied their time, found it impossible to investigate each case, and giving the applicant the benefit of the doubt, generally granted the permit. Under this practice the restrictive age was really lowered to ten years, making it a regressive rather than a progressive provision.

In 1891 the legal age was again increased from thirteen to fourteen years, and the minimum age at which county judges could grant permits was raised from ten to twelve years. This law also made it the duty of the labor commissioner and factory inspectors to prosecute violations of the law. But the entire factory inspection force at this time consisted of only two persons. To inspect the factories of the state and to enforce laws relating to dangerous and unsanitary conditions of employment, fire-escapes and other safe-

guards of the public health in accordance with those laws which were capable of enforcement and violations of which were more readily detectable was a much larger task than would occupy the time of the most diligent inspectors. Moreover, their time could be devoted to this work with far greater profit to the state than could possibly result from the thankless and disagreeable task of attempting to enforce child labor laws which were entirely inadequate and destined to prove a failure from the start. So that, while on the one hand the lack of provision for enforcement of the law operated to divert the attention of the factory inspectors to other more fruitful laws, the permit system, on the other hand, operated to virtually legalize the employment of child labor down to the limit of ten or twelve years of age and in many instances to vitiate whatever enforcement was attempted.

The situation in Wisconsin under this law is aptly summarized by the Commissioner of Labor in his report for 1897-1898. He says: "To completely enforce the law has been found very difficult. The reasons for this may primarily be found in the facts that it is so frequently violated and that these violations are, as a rule, very hard to establish. The reasons for this are easily guessed at. The inspectors cannot tell the exact age of the child from its appearance alone. By common understanding the children themselves, their parents, and not seldom the employer, usually endeavor to deceive the inspectors on this point. Besides this there is in this state a notable lack of reliable or complete birth records. Roundabout and laborious methods are therefore necessary in order to obtain data relating to the ages of children that are complete enough to furnish a safe basis for further proceedings. While the first step to obtain data as to their ages consists of a personal examination of the child, this seldom brings the desired result. They are ready enough to answer all questions, but experience soon teaches that the replies given concerning their ages cannot be depended upon. As a rule, the children do not only studiously misrepresent their age, if younger than the age limit fixed by the law, but besides this they also, as a rule, are provided with certificates signed by their parents or others concerned showing that they are fourteen years of age or past, regardless of the facts of the case. Cases have even been met with where parents, anxious to either obtain employment for their little ones or to keep them at work, have changed the records of their



ages in the family Bible and other places. Numerous other devices for the purpose of deceiving the inspectors are constantly resorted to. The obstacles of all kinds which the inspectors must overcome in order to perform their duties are often both unpleasant and very difficult."

It was not until 1899 that the Wisconsin child labor problem was taken up by the legislature in anything like a serious manner. The law then adopted retained the permit system to exempt children in needy circumstances, but the authority to grant such permits was also vested in the labor commissioner and factory inspectors. The most important provision, however, was in the recognition of the cause of former failures, that is, the lack of provisions for enforcement, and hence when this law provided for six additional factory inspectors it appeared that the day of rigid enforcement was now at hand. The law prohibited the employment of children under fourteen years at any time in factories, shops or mines and at any time except during the vacation of the public school in stores, laundries and the messenger service. By an amendment in 1901, the application of this law was extended to prohibit the employment of children under fourteen years of age in bowling alleys, bar-rooms and beer gardens. The law also authorized the commissioner of labor and the factory inspectors to prosecute all violations of the law, and added a new provision which required employers of child labor to have and keep on file and accessible to the factory inspectors, affidavits of parents of all children under sixteen years of age. These affidavits were to be regularly sworn statements, showing the name, place and date of birth of the child and the place and time of school attendance. By this latter provision it was not intended to restrict child labor under sixteen years, but by requiring the affidavits for all children under that age it was believed to be easier to enforce the restriction as to fourteen years.

It was hoped that this provision would help to solve the child labor problem. Indeed, the first few months of its operation bore out this expectation, but an unfortunate tendency soon manifested itself, the temptation to falsify affidavits. In anticipation of just such methods the affidavit had required a statement of school attendance, to be referred to in case of discrepancies, but the number of obviously false affidavits increased so rapidly that inspectors found themselves swamped in trying to investigate them. Employers in

the name of industrial necessity secretly encouraged this demoralizing tendency adopted by unscrupulous parents, which robbed the schools and instructed the children in the arts of falsification, as to the extent of which they had not the slightest conception. The rapid growth of this vicious practice demonstrated emphatically that the affidavit system was not adapted as a means for successful enforcement of child labor legislation.

The facts growing out of this condition of affairs were laid before the legislature of 1903 which again revised the law, abolishing the affidavit system and in place of affidavits by parents required all employed children from fourteen to sixteen years of age to obtain permits from the commissioner of labor, factory inspectors, or judges of the county, municipal or juvenile courts, authorizing the employment of the child during such time as the officer granting the permit may fix. These officers are required to keep a record of the name, age and school attended by such child and a report as to the number of permits issued must be sent to the commissioner of labor or factory inspector. When the granting officer has reason to doubt the age of any child applying for a permit he may demand proof of such child's age by the production of a verified baptismal certificate, or a duly attested birth certificate, or in case such certificate cannot be secured, then the record of age as stated in the first school enrollment of such child, and in case no such proof can be secured then by the production of such other proof as will satisfy the officer authorized to issue the permit. No permit is to be granted under this law unless proof of the child's age is filed with the commissioner of labor or other granting officer. The filing of such a permit by the employer is a condition precedent to legal employment. A child of legal age finds little difficulty in securing satisfactory proof, but it is practically impossible for persons not entitled to permits to deceive a diligent official. Under this law it is possible to enforce the child labor law in Wisconsin, a thing impossible under the affidavit system.

Turning now to the other Northern Central States, the first child labor laws were adopted as follows: Ohio in 1852, Illinois in 1877, Indiana in 1881 and Michigan in 1885. These laws, with the amendments adopted by the next succeeding legislatures prohibited under a penalty the employment of children in certain occupations which were deemed especially injurious to them, fixed the age limit

under which no child could be employed at any labor, and fixed the number of hours they might be employed in other occupations. The age limit for factory work was placed at twelve years in Illinois, Indiana and Ohio, and at fourteen years in Michigan unless such child had attended public school for four months of the year in which he sought employment, when the age limit was put as low as ten years.

Adequate penalties were provided in each case for violations, but the laws were of little avail because of their indefiniteness, low age limits, and like the Wisconsin laws failed principally because they did not provide means for enforcement. Each law provided in effect that a violator of the same should be liable to prosecution before any justice of the peace or court of competent jurisdiction in the county in which the illegal employment was given, but left the duty of instituting such prosecutions to irresponsible and voluntary initiative. As was to be expected, few complaints were ever made to the district attorneys and prosecutions were so rarely heard of that instead of restricting the employment of children, the law was ineffective and child labor increased with the rapid growth of manufacturing. The legislatures had not yet learned that a social evil is not remedied merely by making it illegal.

To better enforce the law bureaus of labor and departments of inspection were created, entrusted with the duty of prosecuting violations of the law. Along with these provisions was a general movement to increase the age limit to fourteen years and extend the application of the law to mercantile establishments, offices, hotels, laundries, etc. Manufacturers were required to keep a record of all minors in their employment, stating their names, ages and residence, which were to be substantiated by affidavits of parents, kept on file. Factory inspectors were authorized and empowered to visit and inspect all manufacturing and mercantile establishments and report all violations to the district attorneys who were to prosecute such violations. Ohio adopted such a law in 1885, Illinois in 1893 and Indiana in 1897.

Michigan did not follow this course in her legislation. It placed the duty of enforcing the child labor laws on the local police force. The chief or superintendent in all cities was authorized to inspect places of employment and prosecute any violations of the law. If necessary he was empowered to detail a part of the force on duty of



this nature. In the city of Detroit the board of building inspectors was given concurrent jurisdiction with the police, while in towns the duty of enforcement was placed on the supervisors. This law was repealed in 1895 and as in other states the enforcement was placed in the hands of factory inspectors.

The legislation of this period which for convenience may be called the second period of development, introduced the affidavit and permit systems. By these laws a minor applying for employment was required to present an affidavit from his parents or guardians stating his name, age and residence, which was to be placed on file by the employer for reference in case of investigations. As the laws only fixed a minimum age and made in several instances two exceptions, first where the earnings were necessary to support parents in indigent circumstances, and second, the permitting of employment during school vacations, and such periods as the compulsory education laws permitted, a ready method for evasion was provided which was not long neglected. In each of the states, parents finding the comparative ease with which the law could be evaded easily, yielded to the temptation to forswear themselves and many children were found at work who were clearly not of the required age, yet possessing the proper affidavits could not be removed. Record evidence not being available for comparison as to ages, and the number of inspectors in each state being far too inadequate to deal with the question properly, the number of children employed was not very materially reduced. In Illinois alone the number of child laborers seems to have doubled during five years and Ohio and Indiana showed large increases.

The present laws are the result of efforts to remedy practically similar difficulties and as might be expected have many provisions in common. The minimum age limit is placed in all the states at fourteen years except in Ohio where it is thirteen years. Manufacturers are required in some states to keep the regular record of minors employed and to post in a conspicuous place a list of such minors with the ages which are to be substantiated by affidavits of the parents placed on file with the employers, and to be submitted to the factory inspectors on request. The Wisconsin provision for enforcing the fourteen year limit by requiring permits for all children up to sixteen years is in general use. The Ohio law provides that no boy under fifteen years and no girl under sixteen

years is to be employed for wages at any time while the public school is in session. Indiana prohibits the employment, except during school vacations, of children under sixteen years who cannot read or write simple English sentences.

The operation of the affidavit system as it is in vogue in these states seems far from satisfactory and reflects all the weakness of the Wisconsin law of 1899. Such a system is necessarily based on the theory that the parent in making the affidavit will be guided by perfect honesty. Experience shows that just the contrary is true. These laws all have the same end in view, the provision for the safe-guarding of life and health and a development in harmony with industrial and educational civilization, but their ineffectiveness is largely due to a lack of understanding of the fallibility of human nature. Where the game is worth the candle human ingenuity is well nigh inexhaustible, and even to maintain existing regulations constant vigilance of legislative bodies is necessary. Some people will always evade the law, but when opportunity is given so that violations become so frequent and insistent that the limited number of inspectors find it impossible to compare the affidavits with record evidence, the law ceases to be effective, perjury and dishonesty receive material rewards and the prohibitive law becomes permissive. Such affidavits cannot be easily attacked since the burden of proof in each case is on the inspectors. Where parents refuse to forswear themselves or the violation is so flagrant as to be apparent on the mere examination of the child the law does succeed in reducing the number of child laborers. Two other expedients have also been adopted. They are, first, the requirement of certificates of physical fitness, and secondly, requirements for a knowledge of reading and writing. The first provision enables the factory inspectors to require any child which appears to him to be physically unfit for labor to undergo a physical examination and is only retained in employment when such examination reveals a healthy constitution. This provision has been very effective in removing from the glass, cutlery and garment trades a large number of cripples and deformed children. The educational provision has been more difficult of enforcement due to the lethargy of school authorities.

Experience shows that it is wrong both in practice and principle to permit any exemptions from the law. Indeed to do so is really to amend the law and substitute the exceptions in place of

the original intention of the law. To authorize the employment of a child because his parents are in need of his earnings is only a temporary expediency which instead of being beneficial is often a detriment to parent and child alike. It encourages indolence and dependence in parents for which it sacrifices the health of the child. It is better that the state should support a few really needy families than to favor a practice which abrogates the law. Further, the granting of permits during the school vacations changes the habits and ambitions of children and enables them to become employed in factories where, once legally entered, factory inspectors cannot always find them. On account of the comparatively short period of the compulsory school attendance the law is also often restricted so as to apply only to about half of the year and in some states to even less.

Illinois in its latest law has avoided the evils of the affidavit system. This law, adopted in 1903, besides the common provision for the maintenance of a register and record of the minors employed, requires as a condition for employment the deposit of an age and school certificate by the child, this certificate to be approved by the school superintendent or director or by some one authorized by him in writing. The certificate is in no case to be approved unless record evidence as to age is given, but where such evidence is not obtainable the information may be given by the parents. The law requires the school board to provide an office where the certificates are to be issued and recorded, and age statistics to be maintained. But before the age certificate is accepted a certificate of school attendance must first be presented, a duplicate of which is sent to the factory inspector's office. No minor between fourteen and sixteen years is to be employed who cannot read and write simple sentences, in cities where public and evening schools are maintained, unless such minor attends the evening school or is employed during the vacation only. Complaints for violation of the law may be made to the school board of the district which is to report them to the factory inspectors for prosecution.

This law escapes the evils which confront Michigan and Indiana, and which also confronted Wisconsin under the law of 1899, in that it does not go to the parents for information until the last resort. The board of education is required to maintain a complete record of ages of all children in its district. Since a copy of these



certificates is required to be deposited with the factory inspector's office, any discrepancies or suspicious circumstances can easily be detected. The means by which this law can be evaded is where parents must be asked for information and in the forging of certificates. In suspicious cases evidence can thus be obtained without difficulty and as many as from 1,000 to 1,500 violations are successfully prosecuted annually.

There should be mentioned in this connection a growing tendency to place in the inspectors a large discretionary power. Inspectors on their tours found large numbers of children who were over the minimum age engaged in occupations which slowly but certainly were crippling them, injuring their health or exposing to danger their limbs or very life itself. This gave rise in Ohio to a provision which has since been adopted in substance in Michigan and Illinois, and which provides that no child under sixteen years of age shall be engaged in any employment whereby its life or limb is endangered or its health is likely to be injured, or its morals may be depraved, and places the duty of enforcement on the factory inspectors. The Ohio provision was general and indefinite and compelled the inspectors to define such dangerous occupations. An extensive classification of occupations was made including in such danger list every operation which could in any manner be construed to be dangerous to health or morals, and so rigidly is it said to be enforced that the employment of children under sixteen years in such occupations has become practically impossible. Illinois, in its law of 1897, had a provision very much like that of Ohio, but in the law of 1903, rejected the general terms and prohibited absolutely the employment of children under sixteen years of age in a large number of enumerated occupations, as the cleaning and oiling of machinery, operating cutting and stamping machinery, and handling injurious chemicals. The effect of this law has been to raise the minimum age to sixteen years in all dangerous occupations in those states which have adopted such a statute and where it is enforced.

But the child labor law, no matter how drastic its terms or how rigid its provisions for enforcement, is still destined to failure so long as legislatures fail to appreciate that its success is largely determined by supplemental legislation. By discharging the child from employment, but going no further than that, the state has only partially discharged its duty. Idleness in a large city is not always to be

preferred to some kinds of employment, but in no case is employment to be preferred to the public schools. Many states boast on their statute books a law which appears to be far-reaching enough, but which does not accomplish the full measure of good because it only causes the discharge of the child who immediately seeks employment in some other occupation, equally in violation of the law, or what is often even worse, leads a life on the streets. The child labor laws cannot be enforced as a unit. They can never accomplish their real end until the whole child problem is regarded as one distinct entity, and there is enacted a comprehensive scheme of which the child labor law and the compulsory educational law are integral parts. The educational system must be so adapted to the industrial system, dovetailed into it, so as to give the widest possible range of school life consistent with industrial training and ultimate social good, and the machinery of enforcement of both must be made to work in harmony and co-operation.

The Northern Central states now recognize this necessary interrelation. Each of these states has a compulsory educational law requiring school attendance up to the minimum age of employment. For the enforcement of these laws truancy officers are provided, whose powers and duties vary somewhat in the different states. The laws of Indiana, Illinois and Michigan go no further than to direct the truancy officers to investigate and report violations of the laws to parents and to prosecute those liable. The Illinois law is in reality stronger than would appear from a reading of the section because the labor laws vest in the school authorities the power and duty to grant the age and school certificates for employment and sending copies thereof to the factory inspectors. Ohio has vested her truancy officers with police powers and authorizes them to enter factories and other places of employment of children, to discharge the children and place them in the public schools and to prosecute both the parents and the employer for the violation. Wisconsin has not given the powers of factory inspectors in this regard to the truancy officers, but makes up for this partially by giving to the factory inspectors all the powers of truancy officers, thus enabling an inspector to follow up a discharge from employment and place the child in the control of the school authorities.

It would appear from this review that the future development of child labor legislation is likely to vary somewhat from certain

existing provisions. The experience of every state with the affidavit system shows conclusively that other means of enforcement must be adopted. The legislatures must consider that to permit opportunity for evasion means to sanction evasion. In this respect the present Wisconsin and Illinois laws offer some relief in placing the power to grant permits beyond the influence of parents. The difficulty to-day, as ten years ago, is still with the enforcement of the law. Then it was more a matter of error in method; to-day it is insufficiency of means. Every state has placed the duty of enforcing the law upon the factory inspectors, but no state has a force of inspectors large enough to cover thoroughly the field and give it such consideration as it requires. Prosecutions have been numerous and have succeeded in causing employers to hesitate before they entered upon an agreement for illegal employment. With the great industrial activity of recent years the number of violations of the law has increased to some extent, but the chief remedy for this lies in extending and adding to the inspection force.

Child labor legislation in the Northern Central States to-day occupies a favorable position. This is due largely to the change of opinion by the public and by the employers as a body. Public opinion is not created in a day nor does it always act promptly even after it has been aroused. The bureaus of labor and factory inspection have, through their persistent work, helped to place this problem in its true light and this in turn has assisted in creating a general demand for effective child labor laws. Further, the employers who formerly fought every step in the progress of this legislation have since learned that the evils which they feared were largely imaginary and that industry will not suffer if the law is uniformly enforced. In fact some of the strongest supporters of child labor laws to-day are employers who formerly opposed them. Another force which tends to alleviate the difficulties is the growing efficiency of the school laws, and the passage of statutes prohibiting the employment of children in violation of the school laws together with the granting of concurrent powers for the enforcement of these laws to the factory inspectors and the truancy officers. These forces in their slow but not uncertain way, are bringing together the child labor law and the compulsory educational law into the harmonious relationship of one complete scheme, where each, though thorough, in its narrow sense, must in its broader meaning be a supplement to the other.



## CHILD LABOR LEGISLATION AND ENFORCEMENT IN NEW ENGLAND AND THE MIDDLE STATES

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It is, of course, impossible to deal thoroughly with the legislation and the enforcement of laws in the ten states which have the largest number of children at work. Yet such is my task, for the Middle States and New England have all those industries which call most insatiably for the work of boys and girls,—the textiles and needle-trades, tobacco manufacture, the glass trade, mining and retail commerce.

These states run the gamut from Delaware, where the first child labor law, enacted in 1905, is not yet in effect, to New York and Vermont with the most advanced legislation yet achieved.

Perhaps the simplest way to deal with these ten states may be to take them one by one with a few lines for each; after pointing out their position in the Census of 1900 with regard to illiteracy in children. In that year these states, when graded by the actual number of children found illiterate between the ages of ten and fourteen years, ranked as follows in the scale of fifty-two states and territories:

Rank.	States.	Number of Illiterate Children, 10-14 Years.
6	Vermont .....	287
12	Connecticut.....	436
14	New Hampshire.....	557
15	Rhode Island .....	691
18	Delaware.....	845
21	Maine.....	1,255
26	Massachusetts.....	1,547
31	New Jersey.....	2,069
35	New York.....	4,740
38	Pennsylvania .....	6,326
		Total, 18,753

When graded according to the per cent. of children able to read and write the ten states rank as follows:

Rank.	States.	Per Cent. Able to Read and Write,
7	Connecticut .....	99.43
9	Massachusetts .....	99.33
14	New York .....	99.26
17	Vermont.....	99.05
20	Pennsylvania.....	98.99
21	New Jersey.....	98.81
24	New Hampshire .....	98.31
26	Rhode Island.....	98.12
28	Maine.....	97.92
32	Delaware.....	95.49

When graded in the scale of fifty-two states and territories according to the actual numbers of their illiterate children between ten and fourteen years of age in 1900, these states rank from Vermont (6) down to Pennsylvania (38). When graded according to the per cent. of children able to read and write at the same ages, in the same year, these ten states rank from Connecticut (7) down to Delaware (32).

In the light of these figures seven of these ten states have, during the five years since 1900, enacted new statutes dealing with child labor and compulsory school attendance, viz.: Vermont, Rhode Island, Massachusetts, New York, New Jersey, Pennsylvania and Delaware. Maine, Connecticut and New Hampshire keep their statutes as they were in 1900.

The new law of Delaware prohibits all employment of children under the age of fourteen years *in manufacture*, requires three months' school attendance of working children between fourteen and sixteen years, and restricts their working day to nine hours.

Next to Delaware, geographically and in certain other ways, is New Jersey. New Jersey prohibits the employment of children, *in manufacture*, to the age of fourteen years; and requires attendance at school to that age. While, however, a child under the age of fourteen years is thus protected, a boy or girl arriving on the fourteenth birthday from Syria, Armenia, Russia, Italy or any other foreign country, may go to work at once, although wholly illiterate. Such a child need prove no intelligence, no educational achievement, before proceeding to work in the glass works where boys are reg-

ularly employed two weeks by day and two weeks by night. Both boys and girls may work at night to the limit of fifty-five hours in one week.

Last January, the writer had occasion to visit the charming old town of Salem, N. J. In the glass works there were boys slight and delicate, markedly undersized if they were sixteen years of age, yet working regularly at night two weeks in every four. During that week, boys were imported from a so-called charitable employment agency to work in that glass works. Not long before, two boys were carrying bottles from the blower to the cooling oven when, being (as their fellow employee described the accident) "drunk with sleep," they collided and their burden of white hot glass was shattered in thousands of splinters. Some of these particles flew into the eye of one of the boys, destroying it. It was for work such as this that boys were imported. No law is violated when these boys work at night; or when others are imported to work as they work. Ultimately, work in glass factories will doubtless be prohibited as a dangerous trade for all boys under the age of sixteen years. But none of the ten states under discussion so treats it at the present time.

It is one of the unfortunate episodes of the long and widespread campaign for legislation protecting the working children, that while the New Jersey law was amended in 1903 to raise the age of working boys from twelve to fourteen years, the excellent older law was repealed in 1904, which had, since March, 1892, prohibited the employment of women and minors under eighteen years of age after six o'clock at night and after noon on Saturday, in all manufacture except that of glass, canned goods and preserves of perishable fruit.

The law is enforced by truant officers who *may* be appointed by the different communities, locally, and by factory inspectors who are state officers. The improved efficiency of the factory inspectors is indicated by a conspicuous increase in the number of successful prosecutions of employers who have violated the law during the past two years.

Next to New Jersey, geographically and in certain other ways, comes Pennsylvania. This state has, on a large scale, all the industries which call for the labor of children,—mining, tobacco manufacture, textiles and needle-trades, glass works and retail commerce. It is thus not accidental that the number of children at work under



the age of sixteen years is larger, by some thousands, in this state than in any other, or that the opposition of employers to legislation for the effective restriction of the employment of boys and girls is more stubborn and more effective here than elsewhere in the North.

Pennsylvania has recognized the existence of dangerous trades in which children must not be employed, by providing that boys under sixteen years of age shall not work underground in mines. But this is the sole ground upon which the second of the great manufacturing states may justly claim distinction in the matter of protecting its working children.

Hitherto, Pennsylvania has permitted boys and girls alike to work at the age of thirteen years, provided that they could read and write. Moreover, this requirement frequently meant merely an ineffectual effort to scrawl the name of the candidate for work. And those who may work at all; may work at night, usage sanctioning such work increasingly in the mills in the anthracite region.

Should the bill now awaiting the signature of the governor become a law, Pennsylvania will take her place among the states which prohibit work in manufacture and commerce to the age of fourteen years, providing effectively for proof that the child is really of the age alleged. Night work will, however, be merely somewhat restricted, not prohibited.

The child labor laws of New York are in some respects the most advanced of all the laws on this subject to be found in the republic. They are excelled only by the provisions of the statutes of Illinois and Vermont prohibiting the employment of children under the age of sixteen years, longer than eight hours in one day and forty-eight hours in one week, and after seven o'clock in the evening; and by the kindred provision of the statute of Ohio prohibiting the work in manufacture and commerce of girls under eighteen years and boys under sixteen years after six o'clock in the evening; and, finally, by the specific enumeration in Illinois and Ohio of a long list of forbidden occupations dangerous to life, limbs, health and morals.

Yet, with this pre-eminent position among the states, it was still possible for a little lad fourteen years of age to perish in New York City of privation and exhaustion within a few weeks,—starvation his physician called it,—while striving to support himself, his mother and a younger child by his exertions as newsboy. It was

perfectly legal for him to work until any hour of the night, to begin at any hour of the morning, because he was fourteen years old, while the statute merely requires that children shall not begin under the age of ten years to sell papers; must wear a badge to the age of fourteen years and, between ten and fourteen years, must not work after ten o'clock at night. To the street children and those engaged in retail stores our New York laws are still cruel in that they permit work until this late hour, for children ten to fourteen years old as newsboys; for children fourteen to sixteen in stores, as messengers, etc.

A few evenings before Christmas, two members of the Consumers' League visited leading department stores in New York and found in one a large number of small girls working after ten o'clock in violation of the law. If the children fourteen to sixteen years of age had stopped at ten o'clock there would have been no violation; but they worked twenty minutes longer.

A farther serious defect in the child labor law of New York is the toleration of home work in the tenements. So long as this continues, there will always be defective enforcement of the prohibition of the work of young children. This is exemplified in the experience of a family known to the writer who make paper bags in their cellar dwelling in the Lower East Side of New York City. Their father died four years ago, leaving Ephraim, Hyman, Sam, Jakey and Louis, besides a baby girl. Ephraim, who was eleven years old, had gone to school long enough to reach the second primary grade. None of the others had ever gone to school before the father died and none of them has ever gone to school or to a kindergarten since his death. How have they escaped the truant officer all these years? By staying in their basement in the rear of their tenement house, making paper bags with their mother. If they had been playing in the street, they might have been caught in some of the raids of the truant officers. If they had been working in a factory or a regular workshop, they would have been turned over to a truant officer by the factory inspector. But how could a truant officer guess four years ago, or at any time since then, that six children had become a part of the sweating system? Or that they were continuing to do so to the present time when the eldest, at the age of fifteen and a half years, has forgotten the slight acquaintance with the alphabet which he contracted when he sometimes attended

the second primary grade? The only possible remedy for this odious form of child labor lies in the sweeping prohibition of manufacture in the tenement houses. This transfer of work from the family living room to the factory open to inspection is the most urgent need of the working children of New York to-day.

Aside from these defects, the characteristic excellence of the laws of New York is the effective manner in which they interlock the provisions requiring school attendance and restricting the employment of children under the age of sixteen years. To the fourteenth birthday, all children must be at school. Between fourteen and sixteen they must all be at school or at work. After the fourteenth birthday, before beginning to work in a factory or workshop, store, office or as messenger or delivery boy, a child must prove its age by means of a passport, a birth record or a religious record. He must also file with the Board of Health a signed statement of the principal of his school, showing that he has attended school one hundred and thirty days since the thirteenth birthday, receiving instruction in reading, writing, English grammar, geography and arithmetic "up to and including fractions." Finally, the physician who grants the certificate under which the child may begin work, must himself sign and file the statement that, in his opinion, the child is "of the normal stature of a child of his age, and in good health."

The final veto upon the immediate entrance of a child upon his life of work rests with the examining physician of the local Board of Health who, after receiving the school record and the proof of age, after satisfying himself that the boy or girl can read fluently and write legibly, and can do sums in fractions, may still say to the candidate for working papers, "You are not up to the physical standard. I do not consider you of the normal stature of a child of fourteen years of age," and may refuse to issue the certificate.

This advantage New York has over all the states. It is a sorrowful thing that in all our enlightened republic, only one state should have gone so far as that.

It is fitting that the law of New York should be more rigid than that of many other states by reason of the vast immigration of foreign peoples to its manufacturing centers. No other state receives so large a share of the total immigration as New York. No other working people are subject to such pressure of competition



from these newcomers as the wage-earners of New York. It is doing little to protect the people already here, when illiterate, or undersized, children are kept in school until they have completed that portion of the curriculum of the public schools which would normally be covered by a child of twelve years who had entered school at the age of six years and made all its promotions without interruption or failure.

On the other hand, no other employers have such opportunities to find, ready at hand, every grade of labor, as have those of New York. New York has been well described as having an "inflowing labor market." No employers in the world can better afford to acquiesce in the retention of all the children in school until a certain fixed share of the work of education has been completed than the employers in New York.

Most of all do the children of the enormous army of incoming immigrants direly need the protection of such a legal minimum of stature and of education as the new laws of New York guarantee them, if they are to hold their own in the competitive struggle for industrial existence, and to become safe and useful citizens.

An unforeseen advantage of the new laws is the effect which they are producing upon the schools. The enforcement of the required minimum of tuition has brought to light the fact that many thousand children are reaching the age of fourteen years without achieving this modest share of the curriculum.

The reasons for the belated state of thousands of children are receiving a degree of attention never bestowed upon them. Are the children mentally defective? Obviously this cannot explain the plight of thousands! Have they been badly taught? Are the classes overcrowded, the teachers insufficiently skilful? Are the children undernourished so that they cannot learn? The Board of Education of New York City has made suggestive experiments with special classes of two different kinds, one intended to bring forward bright children of foreign birth who merely need coaching in the English language, the other kind intended to eliminate from the ordinary class those children who are conspicuously unfit for physical or mental reasons to keep up with the normal children, thus freeing the regular teachers from this burden, and giving the backward children the benefit of specialized care. These experiments will need to be carried out on a large scale for a considerable time before

it will be possible to judge what farther comprehensive steps are indispensable for bringing up the belated children. Meanwhile the schools are subjected to an automatic test of their efficiency by the simple device of being required to get the children up to the normal work of a healthy, intelligent, regularly attending child of the age of twelve years, on pain of keeping the child in school to the sixteenth birthday.

Down to the year 1890, Massachusetts was far in advance of the other states in the matter of the care of the children. Since that year several states have been reducing the per cent. of illiteracy among children more rapidly; and more than one has also excelled Massachusetts in the enactment of provisions restricting child labor.

The legislature of Massachusetts has recently enacted a new law which provides that a child must have a certificate from the school committee setting forth ability to read and write, before it can legally begin to work. The need for this measure was brought to light in a striking manner by a city missionary in one of the cotton mill towns of the state, who found two little Syrian boys working in a cotton mill who seemed to be less than twelve years of age. On inquiring as to the evidence of their age, the missionary found certificates filed according to the letter of the law, bearing the seal of the community in Syria from which they had come. Holding these against the light the missionary saw that the paper upon which they were inscribed bore the Holyoke water mark. They had been written and sealed with the seal of his native place, by a Syrian priest living in Massachusetts, who had thus obligingly furnished all the birth-records needed to enable small Syrian boys, in his part of the state, to go to work at any age at which the employer could find them of use.

Such evasions of the law become impossible when the child must convince a responsible physician of the local Board of Health that it is able to read fluently and write legibly simple sentences in the English language; and has attended school a certain number of days since the thirteenth birthday, being instructed during this time in arithmetic "up to and including fractions," and is of the normal stature of a child of its age and in good health.

By the adoption of a new statute in 1904, Vermont has come into the forefront of the states in her care for her children. Until last October, children could legally begin to work in the mills at

the age of ten years, during the vacation of the public schools, if able to read the English language.

Since the enactment of the law of 1904, they must attend school to the fifteenth birthday one hundred and sixty days in each year; and although they may work eight hours a day during the vacations of the public schools, after the twelfth birthday, they must first be able to read and write in the English language. Moreover, the restriction of the hours of the children to eight in one day makes them undesirable employees in cotton mills, so that there is not likely to be much use of vacation labor. To the age of sixteen years, they cannot legally work longer than eight hours in one day or after seven o'clock at night, or before seven o'clock in the morning. While Vermont has little manufacture and less commerce, with no mines, glass works, or tobacco, her textile industries, scattered in many cases in small and remote communities have found uses for many young workers; and many immigrant children have, in recent times, suffered the bitter experience of isolation with its accompanying defective enforcement of the compulsory education law, and the absence of a protecting factory inspector.

The State of Rhode Island has enacted, during 1905, a statute which permits the continued employment, for the remainder of the present year, of all those children to whom certificates have hitherto been granted, even though these children may now be only twelve years of age. Before January 1, 1907, all other children employed in manufacture must have certificates showing that they are thirteen years of age; and after January 1st, 1907, they will be required to prove that they are fourteen years of age. Work is prohibited after eight o'clock at night and before six o'clock in the morning for those under sixteen years, but no maximum number of hours is stipulated, unless it may turn out that a section of a law of 1899 remains in force, which restricted the hours of women and minors to ten in one day and fifty-eight in one week. In any case, the new law permits children to work without restriction in stores on Saturday evenings and during the four days immediately preceding Christmas in each year.

There is no requirement that children must be able to read and write in English or in any other language.

It is difficult to see how the law could have been amended to do less in the way of protecting children from premature work.



All those who are already at work under the age of fourteen years will be permitted to remain in the mills until they reach that age before the new law becomes operative.

The states which have taken no steps in the direction of more rigid child labor legislation or more effective compulsory attendance laws, since 1900, are Connecticut, Maine and New Hampshire. The children of these three states are happy in the absence of mines, glass works and highly developed retail commerce. But in all three states, the textile mills have called for young children, and the struggle for effective compulsory school attendance has been a long and varyingly successful one.

Connecticut feels apparently no urgent need of improvement in its old established laws. Its industries are chiefly of a character which enable men to support their families, and do not call for the work of children. The compulsory education laws are enforced by state officers who have performed their duties through a series of years with credit to the state and benefit to the children.

Favorable industrial conditions and laws, old established, wisely conceived and persistently enforced, have combined to place Connecticut first among the New England and Middle States when graded according to the ability of the children between ten and fourteen years of age to read and write. Only Nebraska, Iowa, Oregon, Ohio, Kansas and Indiana have a larger per cent. of children of these ages able to read and write than has Connecticut.

Although Maine shares with New Hampshire, Connecticut and Vermont, the characteristic absence of mines, glass works and highly developed retail trade (of the kind which absorbs child labor on a large scale) and is free, like them, from the sweating system, it seems to need farther legislation for the protection of its children. Maine fell in the scale of the states, from the eighteenth place in 1890 to the twenty-eighth place in 1900, when measured by the per cent. of children between the ages of ten and fourteen years who were able to read and write. Its actual number of illiterate children of these ages was 1,255 in 1900.

In the vacations of the public schools, children may work at the age of twelve years, ten hours a day and sixty hours a week. There is a factory inspector with deputies; and for violation of the provision that children must attend school to the age of fifteen years, school committees or superintendents are required to report

offenders to the county attorney, whose duty it is to prosecute therefor, the fine being not more than fifty dollars nor less than twenty-five dollars. Both parents and employers are punishable.

New Hampshire, also, fell in the scale of the states when graded according to the per cent. of the children between ten and fourteen years of age able to read and write, from the twenty-second position in 1890, to the twenty-fourth position in 1900. The actual number of illiterate children of these ages was 557. New Hampshire permits children to work in factories at the age of twelve years during the vacations of the public schools, requiring attendance at school throughout the full school year to the age of fourteen years for all children, and to the age of sixteen years for those who are illiterate. There is no state factory inspector.

This brief statement of some salient features of the laws in the ten states under discussion indicates the wide and far-reaching inequalities of protection for children along the northern Atlantic seaboard. Indeed, this inequality is the most conspicuous feature of the present situation.

The effectiveness of the enforcement varies as widely. As soon as a law is placed upon the statute book, some people obey it because it is the law, irrespective of inspectors and penalties. Other employers obey such a statute by reason of the pressure of the great insurance companies. In case of accidents which give rise to suits for damages, the position of the employer is distinctly unfavorable if it can be shown that he has failed to comply with all the requirements of the child labor laws. These two influences are very commonly overlooked in the discussion of the value of child labor legislation, with or without the appointment of officers for purposes of enforcement. Yet these are the only influences which operate throughout the ten states here under consideration uniformly to promote obedience to the law and protection for the children.

## CHILD LABOR LEGISLATION IN THE SOUTH

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The great manufacturing industry of the South is the spinning and weaving of her principal staple, cotton, and the history of child labor legislation in this section is practically contemporaneous with the first serious entrance of the South as a factor to be reckoned with in the textile trade of the world.

A few farseeing men, particularly in New England, had for many years discerned the great advantages offered by this section, the natural home of the cotton plant, and preparing against the inevitable transfer of the industry to the neighborhood of the cotton fields, had begun to divide their capital between the old mills of the East and the countryside mills springing up in the Carolinas and Georgia; but it is only within the last decade that these conditions have attained general recognition.

The laws against child labor are among the earliest expressions of the awakening of the civic consciousness of the people of the South to the responsibilities of the new industrial era, which has come upon them with the suddenness of a noonday without a morning.

Up to the present time the textile industry of this section has been largely centralized in the two Carolinas, Georgia and Alabama, and it is in these states that the problems of child labor have been most clearly recognized, and here the battle for the industrial freedom of the child of the South must be fought and won.

Of the 24,170 children under sixteen years of age employed in the factories of the South in 1900, 22,145 (91 per cent.) are found in these four states alone.

The present laws against labor in the Carolinas and Alabama were enacted in 1903, as the outcome of a long continued agitation of the subject, largely inspired by one of the members of the Board of Trustees of the National Committee, who has stated the case



against child labor with a clearness and cogency unsurpassed in the history of such legislation.

As early as 1887 some wise statesman of Alabama, anticipating the dawn of the new era of industrial progress in his state, secured the enactment of a law which was in many respects the high water mark of legislation on the subject in this group of states. This law limited the hours of work for women and children to eight in the twenty-four, and the age at which children might be employed in the factories at fourteen years.

Through the influence of the Dwight Mills, at Chicopee, Mass., since transferred to Alabama City, Ala., and controlled entirely by Northern capital, this law was repealed in 1895, and the combined forces of public opinion, represented by the press, the pulpit and the civic organizations of the state have never been able to restore it to the statute books.

#### PRESENT STATUS OF CHILD LABOR LEGISLATION IN THE SOUTH.

For the data contained in the accompanying syllabus of child labor laws in the South I am indebted largely to the Hand Book for 1905, issued by the National Consumers' League. So far as possible the data have been verified by reference at first hand to the original statutes, and it is hoped that the compact form of presentation may assist the student in obtaining a somewhat clearer insight into the present status of legislation on this subject.

*Alabama.*—(1) Age limit for work in mines is fourteen; for work in factories twelve, with exception of children of widowed mothers, or dependent fathers, or orphans without means of support. No child under ten can be employed under any circumstances.

(2) Proof of age: Affidavit of parent or guardian filed in the office of employer, giving age and date of birth. Furnishing false certificate is punished as a misdemeanor. Penalty for employing child under age, fine of not more than \$200.

(3) Hours of labor: For children between thirteen and sixteen, not over sixty-six hours per week, day work; not over forty-eight hours per week, night work.

(4) There is no educational test required. No compulsory attendance in school.

(5) No provision for inspection or enforcement of the law through any officials.

*Arkansas.*—(1) Age limit for work in mines, fourteen; for work in factories, twelve; if illiterate, fourteen. Same exceptions made as in Alabama.

(2) Proof of age: Same as in Alabama; for children under fourteen, in addition, certificate of school attendance.

(3) Hours of labor: Night work prohibited for children under fourteen; sixty hours a week's work for minors under fourteen.

(4) Educational test: School attendance compulsory under fourteen for twelve weeks in the year, six weeks to be consecutive. Certificate of school attendance only required for children under fourteen.

(5) No provision for inspection or enforcement.

*Florida.*—In Florida the youngest children may be employed, provided only that in the case of children under fifteen such employment shall not extend for over sixty days without the consent of the legal guardian.

There is no limitation upon the number of hours of labor, and no proof as to age of the child is required.

*Georgia.*—In Georgia, employment dangerous to health or morals is more or less completely prohibited, but otherwise there is no restriction whatever placed upon child labor.

*Kentucky.*—(1) Age limit: Work in mines prohibited for children under fourteen; work in factory prohibited for children under fourteen, with certain exemptions, which may be obtained from a county judge.

(2) Proof of age is required for children under fourteen, certificate of age to be sworn to by parent or guardian, unless employer shall know the age of the child.

(3) No restriction upon hours of labor or night work.

(4) Educational test: No educational test is required for a child to work in a factory, but attendance at school for at least five months a year compulsory for children under fourteen.

(5) A labor inspector and one assistant, at a salary of \$1,200 and \$1,000 respectively and expenses, are provided, but investigation as to violation of the law is left to the grand jury, which is given inquisitorial power, and receives a special charge from judges of the Circuit Courts to make such investigations.

*Louisiana.*—(1) Labor in factories is prohibited for girls under fourteen and boys under twelve years.

(2) Proof of age: Certificate of school attendance during at least four months of year preceding employment required for children under fourteen. This certificate to be signed by the director of the school district or principal of a public or private school.

(3) Hours of labor: There is no restriction upon night work, but the work of women and minors under eighteen is restricted to sixty hours per week.

(4) Educational test: There are no laws making attendance on school compulsory, but for children under fourteen a certificate of school attendance for at least four months of year preceding employment, signed by the director of the school district or principal of some public or private school, is required.

(5) The superintendent or chief police officer in cities, or a town's members of police force detailed by the mayor are charged with enforcement of the law.

*Maryland.*—(1) Work in factory limited to fourteen, except in the canning industry and where there is a widowed mother, or invalid father. No age limit in twenty counties.

(2) Proof of age: For child under sixteen a certificate is required stating that the child is over twelve years, signed by principal or head teacher in school last attended, and a like certificate from parent or guardian.

(3) Hours of labor: Night work permitted; for children under sixteen work is restricted to ten hours in the twenty-four.

(4) Educational test: Child under sixteen must be able to read and write, and must attend school before or during employment.

(5) Enforcement: Attendance officers appointed by school commissioners are charged with enforcement of the law.

*Mississippi.*—No age limit in Mississippi except that minors may not be employed for more than sixty days without the consent of the parent or guardian.

*North Carolina.*—(1) Age limit in factories, twelve.

(2) Proof of age: Written statement of the parent or guardian required.

(3) Hours: Night work not prohibited; work for minors under eighteen restricted to sixty-six hours in one week.

(4) Educational test: No requirement of compulsory attendance on school, and no educational test.

(5) There is a Commissioner of Labor and Printing provided



for under another statute, but he has no authority for the inspection of the factories or enforcement of the law.

*South Carolina.*—(1) Age limit: (1903) ten years, (1904) eleven, (May, 1905) twelve. In factories, mines or other manufacturing establishment exception is made for child with widowed mother or totally disabled father, and for dependent children—these may work in the factory without an age limit for the purpose of earning a support—sworn affidavit to this effect required of the widowed mother, totally disabled guardian, or in case of dependent child, of legal guardian. The officer before whom affidavit is made to endorse on back of certificate his consent that the child may be so employed.

(2) Proof of age: Affidavit of parent or guardian stating the age of child.

(3) Hours of labor: Night work prohibited children under twelve, and from 8 p. m. to 6 a. m. Time may be made up which has been lost through temporary shut-down due to accident or break-down in machinery. Under no circumstances shall a child under twelve work beyond 9 p. m.

(4) Educational test: Children may be employed at any age in vacation if they present certificates showing school attendance for four months during the year and ability to read and write.

(5) No provision for enforcement.

*Tennessee.*—(1) Age limit in factories and mines, fourteen.

(2) Proof of age: Required of children under fourteen, to be sworn to by parent or guardian, unless age of child is known to the employer.

(3) Hours of labor: No restriction.

(4) No educational test or compulsory attendance.

(5) Grand jury given inquisitorial powers, and judges of Circuit Courts required to give special charge.

*Texas.*—(1) Age limit: Factories, if illiterate, fourteen; if able to read and write, twelve. In mines, breweries and distilleries, sixteen.

(2) No proof of age required.

(3) Hours of labor: Work at night prohibited for children under fourteen between 6 p. m. and 6 a. m.

(4) Educational test: Child under sixteen must be able to read and write before being employed. Exemptions may be given for

children between twelve and fourteen who are "necessarily employed."

(5) No provision for enforcement.

*Virginia*.—(1) Age limit: In factories, twelve.

(2) No provision for proof of age.

(3) Hours of labor: No prohibition of night work. Work restricted to ten in the twenty-four for children under fourteen.

(4) No educational test.

(5) No provision for enforcement.

#### REVIEW OF LEGISLATION.

A review of the legislation shows that Georgia alone among the manufacturing states of the South has no legal limit for the age at which a child may be employed, and it is an interesting, if not significant fact, that in this state, with perhaps one exception, there is a larger proportion of foreign capital invested in the manufacture of cotton goods than in any other of the textile states of the South.

In contrast with Georgia, Louisiana holds a place of high distinction among her sister states in limiting the age for girls at fourteen, in limiting the hours of work for women and minors to sixty per week, and in providing for enforcement of the law and requiring a certificate of school attendance to be signed by the proper school authorities. A glance at the laws of the other states of the group shows at once that this is the nearest to anything like an adequate and effective statute adopted by any state in the group. As, however, the textile industry in Louisiana is largely undeveloped, there being only two factories in the entire State in 1900, the law is of benefit only in preventing the establishment of conditions adverse to the children in the future.

The age limitation in Florida at fifteen and in Mississippi at twenty-one for boys and eighteen for girls is, of course, no legal bar to the employment of such children, as the law is qualified by the provision that such employment must not be for more than sixty days "without the consent of the legal guardian."

When we recall the fact that there were in 1900 only 466 children under sixteen years of age employed in the few small mills in Mississippi, and that there is not a cotton factory in the state of Florida, the absence of legislation on the subject in these states is seen to be barren of the significance it has in Georgia.

The lowest age limit for the group is eleven years, in South Carolina, which, however, on May 1, 1905, will be raised to twelve years.

The highest limit is in Texas, where children under sixteen may not be employed in mines, breweries or distilleries.

In this state, where on account of the vast possibilities of the immediate future, owing to the fact that it ranks first in production and ginning of cotton, effective legislation is most to be desired, there are evidences of a healthy and intelligent interest in securing legislation protecting the child, in the relatively high age limit for factory work, fourteen; in the prohibition of night work for children under fourteen, and the provision that children under sixteen must be able to read and write.

Here, however, as in the laws on the statute books of every state of the group, may be found the marks of the hand of those interested in fastening child labor upon the South, and the law is radically defective in failing to provide for special officers for inspection of the factories and the enforcement of the statute.

In Kentucky, Louisiana and Tennessee only is there any special provision for the enforcement of the laws prohibiting child labor, and in these states the inquisitorial powers given the grand juries furnish a means of enforcement notoriously inadequate.

The proposed legislation defeated in the Committee on Manufactures in the Legislature of North Carolina two weeks ago provided that "No girl under fourteen years should work in a manufacturing establishment. It provided further that no child under fourteen who could not read and write should be hired out to a mill; that the certificate of age and literacy should be issued by a disinterested party, the school principal, instead of a mere statement to the employer by the very interested party, the parent; that there should be no night work in the factory for children under fourteen, and that there should be systematic factory inspection by the Labor Commissioner."

It was demonstrated in the hearing of this bill before the Legislative Committee that the storm centre of the battle for the industrial freedom of the children of the South is not so much in any detail of proposed legislation, as in efforts to make the laws more effective.

So far no textile state in the South has been able to secure legal



provision for any official clothed with authority to inspect the factories and enforce the law, and until this is secured all legislation on the subject must be practically inoperative.

In Alabama, for instance, no citizen and no official of the state or county has the right to demand the inspection of the certificates of age provided for by law or to go behind the barred gates of the factory to ascertain how many children are held under the forms of child slavery forbidden by the statutes of the Commonwealth.

No educational test is required in Alabama, Kentucky, Louisiana, the Carolinas, Tennessee or Virginia.

In Texas a test of literacy is provided for children under sixteen, and in Louisiana a certificate of attendance for at least four months of the year, signed by the director of the school district or the principal of a private or public school.

In Arkansas and Kentucky alone is provision made for compulsory school attendance, but in the first-named state the school period is only three months, and attendance is required for only six weeks consecutively. Thus in Arkansas a child may be kept in a factory for the year with the exception of two vacations of six weeks each, which must be spent in the school room.

Night work is prohibited in Alabama for children under thirteen, in Arkansas for children under fourteen, in South Carolina (with certain exceptions) for children under twelve, and in Texas for children under fourteen.

It will be noted by the student familiar with the history of child labor legislation that with the exception of Louisiana and Arkansas the statutes in the South are practically a dead letter in another most important particular, namely, the requirements concerning the proof of the age of the child. In those states which require proof of age and even where such proof is to be publicly posted, the affidavits as to age are made out by the parent or legal guardian, the very parties against whose shiftlessness and heartlessness society has found it everywhere necessary to legislate for the protection of the children.

In Tennessee and Kentucky this defect is remedied (sic) by a proviso that such certificate shall not be required where the age of the child is known to the employer! It is against such alliance of greed and thriftlessness that we seek to deliver the children of the land.

## AN ILLUSTRATION.

In company with several strangers, curious to see the wonders of the manufacture of cotton, I recently had the opportunity of passing behind the carefully guarded portals of two factories in Alabama, where my interest in the protection of the children was unknown.

In spite of the practical immunity of the mill men from danger of prosecution due to the inefficiency of the law, it was interesting to note the care with which the children had been taught to answer any inquiries that might be made concerning their ages.

Out of at least a score of children, evidently under the legal age limit, twelve, in a mill employing some three hundred operatives, only one child was found who was not "over twelve." This child confided to a little girl who was in my party the information that she was ten years old, and she looked younger still. I asked a little boy, who could not have been over nine or ten years old, how old he was. He replied with a wink and a roguish laugh that he was "most fourteen," and then ran off to tell the other children that the stranger wanted to know his age.

In another mill employing some two hundred hands the proportion of children under legal age was even larger, and there was a larger percentage of girls, but not a child was found who was not "over twelve." The conclusion was irresistible either that all these children had been taught to lie concerning their ages or that here was a most striking illustration of the effect of child labor in stunting physical development.

These two mills may fairly be taken as typical of the average suburban cotton factory in the South. In the rear of one of the factories the houses of the operatives were built around three sides of an open square or plaza, some two hundred and fifty feet wide, with a beautiful woodland crowning the bluff of the river in the rear and great open fields on either side. The houses are fairly comfortable, and neat in appearance, though needing paint. Here no one need dread the much advertised peril of the streets and slums for the children out of the mill. The children playing in this open square and on these streets would be under the restrictions of the mill authorities and could have no other companions than those very children with whom they are constantly thrown in the mill.

Two conclusions must be reached by the careful observer of such conditions: (1) That the surroundings of these families are better than those of the same class of people in the rural districts, and (2) that the condition of the children now found at work eleven hours a day, many of them under the legal age limit, would be vastly improved, and the chances of their becoming effective in the civic life of the state increased a thousand fold, if they might spend their childhood in the fresh air of the playground of the open square, instead of imprisoned in the unhealthy atmosphere of the factory.

#### DIFFICULTIES IN THE WAY OF SECURING EFFECTIVE LEGISLATION.

In spite of the fact that the laws prohibiting child labor in this group of states fail to meet many of the requirements of adequate legislation upon the subject, the effort to secure their enactment has in every instance met with tremendous opposition on the part of the mill men.

In Alabama the opponents of legislation again and again succeeded in stifling in committee the bills aimed at improving the condition of the children in the factories, and it required the united efforts of the press, the ministers' unions of the leading cities, the women's clubs and other civic organizations to arouse public opinion to such an extent as to make its voice heard in the walls of the capitol.

#### *(1) Apathy of the General Public.*

An outline of the difficulties encountered in this state, it is believed, will present with some fullness the difficulties that have attended the attempt to secure effective legislation in the other Southern States.

Every attempt to secure social betterment finds a common obstacle in the apathy and indifference of the public mind toward its program of reform. In the South, however, this general difficulty has been accentuated by the unfamiliarity of the people with the new industrial conditions, the rural character of the population, the slow development of the civic consciousness, and the fact that the conditions sought to be remedied are of such comparatively recent growth



that the most striking evils of child labor have not had time to develop themselves so as to attract the attention of the community at large. It is always a more difficult matter to create a healthy public sentiment for the enactment of a law that provides against a future peril than it is to arouse a storm of indignant protest against an evil that has become flagrant and notorious and constantly flaunts itself in the face of every citizen. There are hundreds of thousands of our people who have never seen a cotton mill, and many hundred thousand more who have never been inside a factory gate.

Another serious difficulty in arousing public opinion is the fact that many of the mills are managed by men of a humane and just spirit, and actuated by high convictions of duty. Mills controlled by such men have been brought to the front in every public discussion of the evils of child labor, so that in view of the conditions shown to exist in these mills many of the best citizens have concluded that the picture of the evils of child labor has been largely overdrawn, forgetting that the law is never made for the righteous, but the law-breaker.

Terrible as are the evils of child labor, and for one I would not minimize them for one moment, or turn a deaf ear to the cry of one of God's oppressed little ones, the textile industry at the South is yet in its infancy, and the true peril of the situation is in the danger that the evil should so root itself in this new industry as to prevent for many years the enactment of efficient laws on the subject, or that the factories should have been so built up on the shoulders of the children that their removal would prove disastrous to the industry itself.

Taking the statistics of the last census, there were at work in the mills of the South in 1900 only 24,170 children under sixteen years of age—a number smaller than in the factories of the single state of Pennsylvania, yet during the decade ending in 1900 while the number of children at work in other sections of the country under sixteen years of age decreased about 50 per cent., in the Southern states the number of such children increased to an alarming extent.

In Georgia during the decade 1890-1900 the number of children under sixteen at work in the mills increased from 2,400 to 4,500; in Alabama from 501 to 2,438 (386 per cent.); in South Carolina from 2,153 to 8,110; in North Carolina from 2,071 to 7,129. The report of the Commissioner of Labor for this last-named state indicates

that in the last four years this number has been increased to something like 15,000.

The above statistics must be qualified by the statement that the number of factories built in these states in the period under consideration has increased in about the same proportion as the increase in the number of children employed. This, however, is the real peril of our situation, the enormous growth of the factories in the rural districts, demanding every year more and more of the children of the land.

The statistics given, it should be noted, are for children "under sixteen," and, as the legal age limit in textile states is twelve, they do not show the number of children employed contrary to law.

The efficacy of laws in these states must also not be estimated merely by certain technical requirements for an effective law. Public opinion in the South is somewhat slow to respond, but when once awakened is resistless in its power, and there has been in many parts of the Carolinas and Alabama a response to this awakened power more far-reaching in its effects upon the children than have been the technically far more stringent statutes in such states, for example, as Pennsylvania.

In Alabama and North Carolina the laws against child labor were adopted as the result of an agreement entered into by the mill men with the friends of the measure, and was based upon their solemn pledge that they would faithfully comply with the letter of the law. That in many instances they have failed to do so is undoubtedly true, but that the statutes have resulted in the freeing of many children from the imprisonment of the factory and protecting many others is borne out by many proofs.

In North Carolina the mill men have pleaded successfully their compliance with the law as a bar to more effective legislation. Such a plea does not meet the needs of the situation, but that it could be made and partially sustained is proof that the law is more effective than would be indicated by a mere reading of its provisions.

## *(2) Prejudice in the South Against Organized Labor.*

One of the inducements offered to investors of capital in the southern mills is the practical immunity of these mills from interference by labor agitations by the labor unions, which in some sec-

tions have proved disastrous to the industry. So far the cotton factories of the South have been largely unhampered by strikes.

In some instances I think it is possible that opposition to efforts looking to a permanent betterment of the condition of the operatives has been due to recognition of the well-known relation between the elevation of a laboring class financially and intellectually, and the introduction of the forces of organized labor.

In Alabama the apprehension of the mill men that the child labor law was but the entering wedge of unionism was used as an argument to convince them of the importance of agreeing to the proposed legislation and of faithfully complying with the law. It was pointed out that nothing could so strengthen the cause of organized labor in the South as its alliance with the cause of innocent, helpless and wronged childhood against the oppression of the capitalist.

### *(3) Antipathy to Paternalism.*

In a section where local self-government has been most jealously guarded for generations at the cost of blood and treasure it is to be expected that there should obtain also a high theory of the rights of the individual. It cannot surprise the student therefore to find this individualism running to an extreme in the denial of the right of the state to interfere between employer and employee in the interests of the commonwealth and the child.

The most stubborn opposition to child labor legislation has been met in this traditional antipathy of the South to everything that savors of paternalism, and the significance of the legislation so far secured is undoubtedly to be found not so much in the scope and efficiency of the laws themselves, as in the establishment of the principle that the rights of the state in and over the child are paramount even to the rights of the parent where the welfare of the child is at stake. To those who appreciate the true condition of affairs in the South this has been an enormous gain that can scarcely be overestimated.

### *(4) Inability of the South to Provide for Compulsory Education.*

It has been universally recognized by those who realize the difficulties inherent in laws that attempt to protect the child by cer-



tificates concerning age, that one of the best methods of securing the object aimed at in the legislation is a compulsory educational law.

When it is recalled that of the 579,947 children in the United States between the ages of ten and fourteen who cannot read and write, 479,000 of the number are in the Southern states, and 232,127 (40 per cent.) in the four textile states—Georgia, Alabama and the two Carolinas—it will be at once seen that here is the largest opportunity afforded anywhere in the country for the elevation of the standard of life by education, as well as the greatest temptation to capital to impose upon the child, in addition to the burden of illiteracy, an enfeebled and dwarfed body.

The South has been fearfully handicapped in her efforts to meet the problems created by the illiteracy of her people. "A double system of public education has been with all its burdens and with its varied difficulties, the inevitable and unchanging issue of our problem of population. With the gravest problems of our civilization challenging her existence and her peace, the South has been expected to assume the task of the education of two populations out of the poverty of one."

Her response to the exigencies of such a condition has been one of the heroic features of the history of her people during the past quarter of a century in her efforts to overtake the educational destitution of her rural population—efforts that must be neutralized if the rapidly increasing factories are to be allowed through the greed of capital and the shiftlessness of parents, to shut out from the school room, within the walls of the mills, thousands of the neediest and most promising of her children.

With the greatest educational problem of modern civilization thrust upon her, it has not been possible for the South to provide for the compulsory education of all her children, and the opponents of child labor laws have ever been quick to seize upon this fact, hiding their hostility to the legislation by a loud protestation of zeal for the cause of education.

It was somewhat of a revelation in Alabama two years ago to find that the very people who were opposing a child labor law, "unless a provision making the education of the children compulsory was attached," were at the same time viciously fighting all efforts to provide for local taxation for school purposes—a measure which

offered the only hope for such an increase of the public school funds as to make compulsory education feasible.

*(5) The Commercial Rivalry of States and Sections.*

Every effort to secure legislation protecting the child has been met by the persistent and bitter commercial rivalry between the different states engaged in the manufacture of cotton goods.

It has been repeatedly charged that the efforts to secure child labor legislation in the South have been inspired by the jealousy on the part of the New England mills of the growing prosperity of the South. To which it may well be answered, "Why, herein is a marvelous thing, that influences alleged to be trying to injure the southern manufacturing industry by securing effective child labor laws, should at the same time be at work in New England in making the laws in these States more effective still."

It is a fact of history that the protection of the children is one of the most potent of the economic factors in the industrial development of a people, and if the jealousy of New England should result in the protection of all the children of the South nothing could prove a greater boon to every interest of her people.

The mill men in New England are urging that the age limit in those states should not be raised, because they then could not compete with Georgia, which has no law against child labor. The mill men in Georgia claim that the attempt to secure legislation in those states is due to the influence of the New England mills, while in the two Carolinas and Alabama the proximity of Georgia, with no regulation of child labor, is pleaded as a reason why existing statutes should not be enforced.

After all has been said, it must at last be recognized that the inducements the South has to offer to the capitalist desiring to invest in mill property is her splendid water power, salubrious climate, proximity to the cotton fields, cheapness of fuel, and freedom from labor troubles, and not the sacrifice of her children upon the altar of greed.

PRACTICAL SUGGESTIONS.

I have tried thus to give a frank and accurate interpretation of the present status of this legislation in the Southern States, and to present as candidly as possible the situation as it exists, but I would sound no note of pessimism. Whereas in older manufactur-

ing communities legislation for the protection of child life has been a matter of slow growth and marked by the many mistakes and failures of social experiments, in the South the cotton manufacturing industry has almost with its birth brought our people to a consciousness of their obligation to the coming generation.

In the bills presented in more recent legislatures the accumulated wisdom of the century has been drawn upon, and though, as in North Carolina, such measures may for a time fail of enactment into law, through the influence of the professional lobbyist, the interested capitalist and the indifferentism of the people, no one familiar with the history of the modern industrial world can doubt that the pressure of the moral judgment of civilization must at last make itself felt with resistless force.

Though the enactment of the most effective legislation comes somewhat more tardily than we could desire, it is a matter of sincere congratulation that this legislation has reached a more advanced stage of development at this period of the industrial life of the South, and that the southern people are passing on to the period of effective legislation with less of blood-guiltiness than any other section of country in the industrial life of modern times.

In conclusion I venture to suggest:

(1) That for states with such manifestly similar economic conditions as obtain in the Carolinas, Georgia and Alabama there should be a continuance of the effort to secure so far as possible uniformity in the laws protecting the children.

(2) That in view of the number of humane and just men interested in the manufacture of cotton in the South constant effort should be put forth to win the support and sympathy of these men for a movement in line with the noblest endeavors of their lives. To this end legislation proposed should be wise and conservative, characterized by a full recognition of the stage of the industrial development of the section, and so far as consistent with the protection of the children, containing such provisions as will give the factories abundant time to adapt themselves to the improved conditions.

Overdrawn pictures of conditions that are abnormal are just as imperfect a presentation of the case against child labor as is the exhibition of the prize mill with its schools, kindergartens and libraries an illustration of the average mill. After all has been said the facts of the situation, and the facts alone, can secure an intelligent



and sustained public interest without which no law can be made effective.

The people of the South are not unlike the people in other sections, and iniquitous conditions cannot long maintain themselves in the presence of a well-informed public opinion.

(3) Laws protecting the girls under fourteen years of age are most needed just now, and most likely to secure favorable consideration at the hands of the representatives of the people.

(4) Wherever practicable, proof of age should be required to be supplemented by a standard of physical efficiency, and in all cases there should be required for children under twelve years of age, a certificate showing that they can read and write, signed not by the parent or guardian alone but by the principal or teacher in some public school residing in the county where the factory is located. These certificates should be required to be filed in a public place where access may be obtained to them by all interested parties, and failure so to file them made a misdemeanor.

(5) An inspector for factories, mills and mines should be provided in every state, and this officer appointed by the Governor and empowered to enter any factory or manufacturing plant or mine, required to render bi-annually a public report to the Governor, and to report to the county solicitor and grand jury every violation of the law.

## CHILD LABOR LEGISLATION AND METHODS OF ENFORCEMENT IN THE WESTERN STATES

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BY HON. BEN B. LINDSEY,  
Judge of Juvenile Court, Denver, Colo.

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The child labor evil has never afflicted the West as it has the East and the South. Of course I speak rather of the great mountain states. It would not do, however, to console ourselves with the assumption that the grandeur of our mountains has so completely imbued the hearts of our people with high ideals that we are free from that taint in commercialism which so often advances "business interests" at the expense of sacred childhood. In those cases where these selfish interests might be advanced by drafts upon the strength and life of little children we have found human greed very much the same as it is in the East and South. The mines and the smelters call almost entirely for the strength of men rather than that of children. The labor unions as much as laws have kept our children from industrial slavery. The opportunities of the cotton mill and the ordinary factory in the great industrial centres of the East for enlisting the services of the child offer greater temptations than those of the smelter and the mine. If we may credit the frightful conditions in the coal mines of Pennsylvania as to child labor, I am sure we have no such sins as theirs to answer for. And while we do not pretend superiority above our brothers of the East and South in resisting encroachments upon the childhood of the nation, we may without any spirit of boasting feel proud of our laws for the protection of children. Both as to laws and the evils to be remedied by these laws the great West is far in advance of the South, compares favorably with the states of the East and Middle West, and Colorado claims the proud distinction of being twin sister to Illinois in acknowledging superiority to no state in advanced child labor laws as well as other laws for the protection of her children. We look upon

Kansas as the most benighted of the Western states, and as being most backward in keeping step in the march of progress, led by her western neighbor, the State of Colorado, but Kansas is waking up, and I promise you that if Kansas concedes to the women of that state the right of suffrage as it has existed among the women of the State of Colorado, it will be impossible for it to lag behind the procession.

Under the age of sixteen years no child may be employed in any mine or other dangerous occupation in the State of Colorado, and under the age of fourteen years no child may be employed in any mine in the States of Idaho, North Dakota, Oregon, Utah, Washington and Wyoming.

Again, the Western states have been blessed with liberal school funds, largely obtained by the reservation for that purpose of millions of their acres, which, with less knotty and difficult problems than our less fortunate sisters of the South, have made compulsory education in the West a simple problem to embody in effective laws rigidly enforced. The great West, therefore, in comparing its more fortunate condition with that of the South, may do so with satisfaction, but without exultation. On the contrary, our more fortunate social and industrial condition reminds us that the South especially is in need of our consideration and sympathy in its less fortunate state, and this, I wish to assure you, is our attitude of mind toward this section of our beloved country.

I might give an instance of our own experience in Denver within the last three or four years as showing that human selfishness is very much the same in every part of our country when "business interests" conflict with the children's interest. Some fifteen years ago, in the very shadow of the Rocky Mountains, there was built a great cotton mill. It was a rather peculiar thing in our industrial development that cotton mills should be built away out there, but New England people who initiated the enterprise could see the cotton fields of Texas a great deal closer to their back doors than were those of Georgia or South Carolina to the mills of Massachusetts. This was before the sudden and rapid change of the last few years when the cotton mills began to spring up in the fields of the Southern states. This transformation had not been taken into account. But when it came competition became fiercer, and the cotton mills of Colorado, to compete with those of South Carolina,



must forsooth move some of South Carolina's social conditions to the foot hills of Colorado. Agents were employed whose business it was to import into Colorado dozens of families from the poorer classes of Alabama and the Carolinas, and with them, of course, came the children; in fact, they were the inducement for this sort of emigration; the more children the surer the contract with the wily agent to live within sight of Pike's Peak and the snow-capped Rockies. And thus it came to pass a few years ago that you could journey by trolley car from Denver to the cotton mills in which, once enclosed, you might well imagine you had been transported two thousand miles into one of the Southern states. There were the boys and girls, ten, eleven and twelve years of age, working in violation of the laws of the state in order that "prosperity" might still flourish amidst these whirring spindles in the West. Those who protested were denounced, by those who believed in "prosperity," as mischief makers for the destruction of a great industry. Should a successful enterprise of ten years' standing be permitted to fail when all that was necessary was a duplication as far as possible of conditions which it was said accounted for its success in other sections? Of course, my friends, we accounted this as all "bluff." I think Miss Addams and Mrs. Florence Kelley have shown by the example of Illinois, especially in the glass industries, that this argument about child labor being necessary for the success of any industrial enterprise is without foundation. The reserve strength of the nation for to-morrow is with these children of to-day. No one living has more eloquently exemplified this truth than these two great champions of the children of this nation, and whatever the fact may have been when the men at the head of this institution said they could not compete with the South unless they could work under the conditions that obtained in the South, our people said that argument was a purely commercial one at best, and, to tell you frankly, we believed a fallacious one, since if those mills could not survive we were certain the real cause was not to be found in the sacrifice of the children, but in economic conditions for which surely the children were not responsible. In any event, we said: "You have no industrial enterprise of benefit to our people if it is to be at the sacrifice of the bodies and souls of little children, and the fact that those children are the children of South Carolina or Alabama does not alter the case—they are just as dear to us as the children of

our own state, and Colorado will protect them if it means that Colorado must smash your mill;" and so we said: "You take those children out of the mills, and whether you shut down or continue to run is a matter of secondary importance." And they took the children out and the mills went to smash, and while most of us have serious doubts if it could be attributed to "the poor little kids," at the same time we were prepared to concede that and all it cost if it meant the redemption of little children from industrial slavery. We put the child above the dollar. They are our greatest wealth. Not all the gold and silver in the depths of our great mountains are half so valuable as these little ones, and that was the reason that the president of the mill, the foreman and the superintendent were prosecuted in the courts and suffered the extreme penalty of the law.

And yet, my friends, property rights are neither depreciated or disrespected by high regard for human rights. On the contrary, just in proportion as we strengthen and administer to the rights of body and soul do we pile up the real material wealth of the nation. It pays now, but it pays even more in the to-morrow. The highest duty of the state is to its children. Just so far as we protect them and make them the object of our solicitude, just so far are we going to increase the power, strength and wealth of the state. It is only the short-sighted and the selfish and those who live for to-day, thinking not of the to-morrow, who refuse to see or acknowledge this truth. The future of our country depends a great deal more upon the kind of children we are rearing to-day, how well their little bodies are shaped and their morals directed than upon how much business we have or how much gold is yielded.

The child labor laws in most of the Western states are generally well enforced. The enforcement of the law we all realize is just as important as the law itself, and in many states having a child labor law this question presents an even more serious difficulty than that of no law at all. In fact many states which have no law or an inadequate law may have more excuse to reproach those boasting of the law upon the statute books, but which give it the lie by non-enforcement.

In Colorado we have a compulsory education law keeping every child in school until his sixteenth year unless he has completed the eighth grade of the grammar school. Our schools are in session throughout the state from September to June. The child labor law

forbids employment in factories, mines, mills or occupation dangerous to health where the child is under fourteen years of age, and not over eight hours under sixteen years of age, or at all if the employment be dangerous to health. Between the ages of fourteen and sixteen, if the school law has been complied with, the child may be employed for over eight hours in an occupation that is not dangerous to health. This question must first be determined by the juvenile courts, which correspond to the county courts and exist in each county in the state. Proper application may be made to the court when the case is heard and permission granted upon conditions satisfactory to the court and in the interest of the child. This provision has tended to make the law, we think, more practical and satisfactory than it might be were no exceptions permitted. Especially is this true where the age limit is sixteen as with us. I would not recommend it if the age limit was either twelve or fourteen. All the children's laws of Colorado are enforced in one court. These laws comprise generally those relating to compulsory education, child labor, juvenile dependency, juvenile delinquency and the laws holding parents and others responsible for the dependency and delinquency of children. We believe that this method offers a system of effectiveness in law enforcement which could not otherwise be well obtained. The Woman's Club of Denver, always keen, alert, interested and active in behalf of the children of our city, under the leadership of our distinguished citizen and member of the National Child Labor Committee, Mrs. Sarah Platt Decker, instituted an elaborate investigation during the past year with reference to child labor in Denver especially, and reported it most satisfactory from every standpoint. Their report in full was sent to Miss Addams, of Hull House, and by her, I am told, pronounced most satisfactory. I think Miss Addams has pointed out on several occasions the fallacy and weakness of many of the old stock arguments we hear from some of our conservative business men in favor of child labor. With swelling pride they often tell us of their labor at the age of twelve and thirteen and pointing to their own example of success in life, they feel they have demolished the whole argument against even child slavery. The conditions under which they labored and lived are so different from those which the average city child is compelled to endure that we really find very few such cases of any value to the arguments for child labor. Their conditions were so



favorable they rather strengthen our plea for more industrial education. The success of an exceptional case under hard conditions has been, not because of such conditions, but in spite of them. I firmly believe in work even in childhood. By this, I mean the right kind of work. It is not so much a question of work as the amount of work, the kind of work and the conditions under which that work is performed. This need not lessen our belief in happiness in childhood. I want to say very candidly, that there are a great number of children in this country from fourteen years of age upward about whom I feel more alarmed at their failure to do or to know how to do any kind of useful work than of any possibility of their being overworked.

In our zeal for the protection of children subjected to extreme or unnatural conditions, we must not lose sight of the dangers and difficulties of idleness. There are thousands of boys in the cities of this country who, if not employed at some useful thing, are generally on the streets or in the alleys in the downtown public pool rooms and bowling alleys, engaged not always in wholesome play, but too often in idling, cigarette smoking and dirty story telling, with absolutely no thought of work or the serious side of life. They are too constantly occupied with thoughts of "having a good time," and some rather perverted notions of what a good time is. Too many of our boys especially reach the age of moral and legal responsibility without the slightest conception of work. They are too often more concerned as to how much they earn than how well they do their work. In dealing with a certain class of youth in the juvenile court, I say without hesitation that the most hopeless fellow in the world is the boy who will not work—the boy who has not learned how to work, or the value and importance of work. There is always hope for the boy who works, especially the boy who likes to work. I believe in the "strenuous life," and I think its importance should be taught our boys and girls at an early age. There are too many young people in this country looking for "the life of ignoble ease." I can say all of this to persons sincerely interested in the protection of the children from degradation or unnatural labor, and yet not be understood as depreciating the importance of wise child labor laws and their rigid enforcement for the protection of the children of the Union. But we must be careful in doing this, never to underestimate the importance of work,—the right kind of work, a certain

amount of work,—in the life of every child, and especially that teaching which inculcates good impressions in the life of every child as to the necessity and importance of labor. On the other hand, my experience is that most boys will work if given any kind of an encouraging opportunity. The lack of a chance is often responsible for idleness. Ninety-six per cent. of our boys and girls are forced out of the grammar school to fight the battles of life. They must have a chance to earn a living under such reasonably favorable conditions as not to destroy all chance of happiness or else they must become idlers and loafers. My own experience is that our common school education too often fails to equip them for earning more than the most scanty wages. An opportunity between the sixth and eighth grades in our city schools for children of the toiling masses to learn some kind of useful trade or valuable work with the hands—to learn to do what their fathers do—is a reform in our educational system which the champions of child labor must, in my opinion, espouse if they would round out a systematic and consistent plan of battle in this fight for the salvation of the children. I want to see the time come in this country when a boy of fourteen years of age up may be a valuable help to the plumber, the carpenter or the printer at a decent wage, instead of going to the messenger service and the street. I do not believe that juvenile labor should trespass upon the legitimate occupations of men and women, but we must equip these children for some kind of industrial efficiency and usefulness, or enlarge our reformatories and prisons for their care and maintenance. One of the saddest things in my experience as judge of the juvenile court has been the little fellows who have requested me to send them to the reform school in order that they might learn a trade. The principal of a school once said to me: "Judge, why don't you send that boy to the reform school so that he can learn a trade?" On behalf of the boy, I replied: "In God's name, why don't you people on the Board of Education give him an opportunity to learn a trade at home?" I ask you, is it fair, just or decent that in most of the cities of this country an American boy has no opportunity to learn a trade, to capacitate himself for joyous, useful work with his hands, unless he commits a crime? And yet, I am compelled to say to you, that such is the condition in this country.

I see wonderful changes just ahead of us in our educational system that are bound to come if we are to make progress. Our

good friend and honored secretary of the National Child Labor Committee, Dr. Samuel M. Lindsay, distinguished himself in his work as superintendent of education in the Island of Porto Rico. I note that one of the causes of his success, it seems to me, was an innovation in teaching those children of our island possessions to do what their fathers did, and thus under favorable conditions capacitating them to become useful and efficient citizens of to-morrow.

And in the great West, my friends, we are agitating and striving more and more, not only to save the children from the wrong kind of work at the wrong time and under wrong conditions, but at the same time to prepare them for the right kind of work at the right time and under right conditions that the citizens of to-morrow may work for and be worthy of the highest ideals of the republic.



## THE WORK OF THE GENERAL FEDERATION OF WOMEN'S CLUBS AGAINST CHILD LABOR

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Cartersville, Ga.

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The work of the General Federation of Women's Clubs for the prevention or lessening of child labor is of a many-sided character. Primarily it consists in arousing the members of the clubs to a consciousness that the industrial conditions surrounding the women and children who must toil for bread, are quite as much a part of our responsibility as if we were their employers. Purchasing and enjoying the fruits of their labor, we have only of late years realized that to us is partly due the suffering borne in producing the results. And this realization has been largely the result of the work of the National Consumers' League.

Not all women's clubs are for the study of sociological conditions; there are studies of many kinds, and clubs of many varieties, but whether the studies be of one kind or another all club women have hearts. When once those hearts have opened to the suffering of the children the motherhood inherent in woman responds to the call—she listens to the “Cry of the Children” who are wearing out their lives in unwholesome work—and listening and studying, the club women have learned many things!

The suggestions which have been made to the clubs by their “Child Labor” Committee are eminently practical and all leading up to the final attainment of freedom for the children to obtain their growth before engaging in work which dwarfs both body and mind if pursued at too early an age. In 1903 the following letter was sent to all federated clubs:

DEAR MADAM PRESIDENT: During the past year marked advance has been made in securing child labor legislation throughout the states of the Union. Women's clubs have been active in this movement which has con-

sisted both in enacting new laws and in amending old ones. The argument against this legislation which has been most universally encountered has been that the earnings of little children are needed to support widowed mothers. The Committee on Child Labor is convinced that the argument has been unfairly used, that the number of poor widows in any community is limited, and that among that limited number there are comparatively few whose oldest children are between the ages of ten and fourteen years,—the time when the temptation to use the premature labor of children is strongest. Nothing could be more valuable to the cause of child labor than to lay this ghost which has so long frightened many of the sincere friends of little children, and has furnished the basis of the emotional appeal so often used against sober argument.

Your committee therefore earnestly requests that the women's clubs throughout the country aid the cause of child labor by securing information as to the number of working children between the ages of ten and fourteen years, whose mothers are widows, who are in any wise dependent upon the earnings of their children, and also the number of those mothers, and the amount of wages of the child, so far as it may be ascertained. The committee would advise the City Federations of Women's Clubs to meet and partition the manufacturing districts of each city among the clubs, using as the basis of their investigation the records of the public and parochial schools, the factory inspector's office, and charitable societies. In the smaller towns and villages the problem will be much simpler; and if a number of communities are investigated the information thus secured will be most valuable.

The committee requests those clubs who wish to do more than investigate to take the following action:

Whenever possible to persuade the children thus employed to return to school, undertaking to pay the amount of the weekly wage which the child formerly earned to his widowed mother every Saturday night upon presentation of a certificate signed by the child's teacher testifying to his regular school attendance the entire five days of the previous week,—the money to be called a scholarship. This plan greatly resembles one in successful operation in Switzerland for twenty-five years, where it is carried on by the state authorities.

Such action will tend to interest the club women in the welfare of mill operatives, and should in time help to establish permanent home keeping among those who have so largely formed a floating element in the population, especially in the new mill towns of the South.

Signed by the committee.

JANE ADDAMS, *Chairman.*

At the Biennial, held in St. Louis, in May, 1904, the General Federation recommended to the State Federations and federated clubs that in all states in which children work at night and children work who cannot read and write in the English language, the effort

of the clubs should be concentrated upon the passage of laws covering these points, namely:

1. That children under the age of 16 years should not work between the hours of 7 p. m. and 7 a. m.; and,
2. That children should not work who cannot read and write in the English language.
3. In states in which these two points are already covered by effective laws, the adoption of the Standard Child Labor Law is recommended, including the Newsboys' Law.

The suggestions for this year's work will be in the same line—for it is "line upon line" in child labor as in all other work. Please notice carefully the points of these suggestions. Many of the "widowed" mothers are such in name, because the idle father has betaken himself to parts unknown in order to shirk the responsibility of his family! And have you visited the factory towns and seen the anxious mothers? No wonder that the baby workers look old before they are grown; their mothers, too, knew perhaps no care-free childhood—they worked before their growth was completed, and the children have the heritage of weakness.

Do you remember the old lines:

"Childhood should be all divine,  
Mother, dear,  
And like an endless summer shine—  
Therefore bid thy song be merry,  
Mother, dear!"

But there is no room for merriment, and childish glee, and mother-joy, when by the laziness of a father the little ones must go to the mill day after day, and then turn night into work-time and walk up and down by the machines until a dash of water into their faces tells them that they were going to sleep and the inspector had thus aroused them! Club women are learning many things. It is but a few weeks since a friend told me of seeing a father who showed no sign of weakness take six of his children to a mill for work—he himself claimed to be too feeble to do regular work—a "vampire father," as such men are now called, living upon the money earned by the sapping of the vital forces of his children!

In the state of Pennsylvania is the ground consecrated by the awful "Wyoming Valley Massacre," but what about the "Slaughter



of the Innocents" in the mills of that territory now? Has it been stopped since discovered a little over two years ago?

Unable immediately to control the forces which keep little children at work at the expense of their growth and development, club women are working in many ways to better the condition of the children, and by following their lead many mill owners are now able to boast of the advantages which they give to their operatives in the way of night schools and libraries. I wish that you could go with me to visit a night school. The older boys and girls are anxious to obtain the education which they could not get in their childhood; some of them look strong and well, thus proving that they had completed their growth in remote country districts before coming into the mills. But the majority look bleached and tired, and the smallest children make what is often a vain struggle against the utter fatigue which is the result of a long day's monotonous labor. See that little head lying upon the thin arms?—among the brown curls are little bunches of lint, and more still upon the clothing. Can any thoughtful person believe that there are not still finer fibres lying upon the delicate intricacy of the child's throat and lungs?

In the daytime the kindergarten established by the women take the tiniest little ones, and in the happy hours there the tots learn something of the ways of a well-conducted home—things which their mothers are unable to teach them either from lack of time, or strength, or knowledge.

In other places the club women have arranged schools at such hours that those who must carry baskets to the mill may do so without losing any of the precious instruction and influences of the school.

I would not leave the impression that club women regard mill-owners as the sworn foes of childhood. Many managers of mills declare that they would prefer not to use child labor, and where there are laws against it some managers are careful to obey them, but there are others who regard this awful abuse of the children as part of the business and who vehemently fight against any laws being entered upon the statute books, or better laws being substituted for poor ones. In Georgia, in order to take away this excuse for labor legislation, the cotton mill men have agreed among themselves not to employ children under 12 years of age. With

a conscientious manager this would greatly lessen the evil if there were no lazy fathers who will falsely swear to the age of a child in order to put it into the mill. But it was of that agreement that a club woman heard a tale: Two men on a railroad car were discussing child labor, not knowing that the two women in front of them were members of the Georgia Federation of Women's Clubs. The mill man held that the children would spend their time on the streets playing marbles if they were not at work; the other promptly rejoined that he'd rather have his children in the fresh air than in a lint-laden mill, and added: "But I don't see why you mill men should object to the bill when you've agreed not to employ little children." "Oh," said the other, with a shrug, "that was only for the legislature!"

But the General Federation is working in still other ways against child labor. The supply of children and mothers for mill work is in many cases—certainly in the South—drawn from the tenant class who here, as elsewhere, give evidence of all the weaknesses that come from economic dependence on others and who from their very ignorance are easily persuaded to change their place of living. Therefore, for these reasons among others, the club women are bringing to the rural schools, so often bald and poorly equipped, the industrial training which by its hand work is helping to develop perception, and open the minds of the children to the beauty and pleasure to be found around them. The gardening there taught, and the emulation aroused in the improvement of the homes are doubly important, viewed as a means of creating a love of one spot as home.

The cooking classes for mothers after school hours are often a centre of influence of untold value; there the teacher has the opportunity of becoming well acquainted with mothers who may some day be tempted to move to a mill town. Can we blame their desire to go to a place where they can earn money, and where "the children, too, can help," if they have never heard that such work will prevent the healthy growth of the children?

For such work as this the Massachusetts Federation has donated over one thousand dollars during the last three school years to help the Georgia Federation's work.

The women of the General Federation of Women's Clubs hope soon to see the day when from end to end of our land, whether

cotton, or silk, or glass, or fruit-canning be the prevailing industry, the fathers must be the ones who must earn the support for the family—when no children under 16 years shall work during the night hours, and when the presence of a boy or girl in a factory of any kind proves that he or she can read and write English, and has reached such a stage in development that the long hours will not dwarf him.

In every state where the evil of child labor exists, club women are using their influence as moulders of public opinion to make it impossible for such a state of affairs to be permanent. In North Carolina, where the legislature has just refused to improve the laws on this subject, a club woman writes that the improvement is only postponed—"It took twenty-five years for us to procure some other reform legislation, so we are not discouraged!" The Illinois Federation has issued a model statement of their present endeavor to prevent the change of the child labor laws and showing what excellent results are attending the working of the present ones, for which they ask a longer trial.

Emerson asserted that civilization was "The power of good women." If this be true, and who can doubt it, how great is the power developing from the seven hundred thousand women bound together for usefulness in the General Federation.

Women are the creators of public opinion, and those federated women are using their influence from sea to sea, and the lakes to the gulf. They are the leaven which requires but time and ardor to lighten the whole mass of working women and children and lift them by the power of growth to higher planes of work and knowledge.



## THE OPERATION OF THE NEW CHILD LABOR LAW IN NEW JERSEY<sup>1</sup>

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By HUGH F. FOX,

President of the Children's Protective Alliance of New Jersey.

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The law which converted the Department of Factory and Work Shop Inspection into the Department of Labor in New Jersey went into effect on September 1, 1904. The enactment of this law on March 24, 1904, was the culmination of a fight which had been going on in the state for three years, to regulate the employment of children and force the chief factory inspector to do his duty. The man at the head of the department of factory inspection was John W. Ward, who came from Salem County, and had made himself popular with the glass manufacturers by strict inattention to duty. During the early part of Governor Franklin Murphy's administration the labor organizations and philanthropic bodies, such as the Consumers' League and the State Charities Aid Association, made frequent charges of maladministration and neglect against the department of factory inspection. Early in 1902 an act was passed by the legislature empowering the Governor to appoint a woman as deputy factory inspector, in the hope that such an appointment might result in a disclosure of conditions which would force the hand of Inspector Ward and his administration. The Governor, however, took no immediate action, but on April 22, 1902, he sent for Ward and examined him, and publicly censured him for neglect. Inspector Ward pleaded the difficulty of enforcing the law, because of the sworn affidavits of the parents that their children were over the minimum age of twelve years. During this interview Governor Murphy made this significant remark: "You see I have a good deal

<sup>1</sup>This article is contributed through the Department of Philanthropy, Charities and Social Problems, Mrs. E. E. Williamson, Editor, and the notes of the department for this issue are omitted in order to give space to this more elaborate study of Child Labor Legislation of a single State.

to learn about this affair before I am very much older." At the same time the Governor announced that he would sign what was known as the Lord bill, which had just been passed, which provided for an additional deputy inspector, and compelled all of the employees of the department to give their entire working time to their duties. Prior to this time it had been customary for deputies to engage in other occupations, and simply put in their spare time visiting the factories.

Following the announcement referred to above, the Governor declared in an interview that he had no intention of personally visiting the glass districts to make an investigation. Apparently the statement allayed the fears of the inspector, and things went on as before. However, the Governor employed inspectors from outside the state to look into the situation and report to him, and during the following summer and fall much information was procured. It was rumored at this time that the Governor had asked for Ward's resignation, which was refused. Ward had been appointed as chief factory inspector by Governor Griggs in 1896, and re-appointed by Governor Voorhees in 1901, and it had always been supposed that he could be removed at any time by the Governor for cause.

But it seems that the chief factory inspector was appointed with the consent of the senate, and the attorney general held that an officer who was appointed subject to confirmation by the senate could only be removed after impeachment. In Governor Murphy's first annual message of January, 1903, he stated: "The inspector and his assistants are responsible to the legislature only. If the power of removal was lodged with the Governor, a more vigorous enforcement of the law could be expected at once. Children should be protected from the heartlessness of parents and the selfishness of employers. The present legal age for the employment of girls is fourteen, and of boys twelve years. I recommend that the legal age for the employment of boys be increased to fourteen. That is quite young enough, and is the age prescribed by Massachusetts, Connecticut, New York, and eight other states, eleven in all. Children cannot be expected to go to school after the practical work of life has begun, and their mental, moral and physical welfare all demand that the change recommended be made." In accordance with his recommendation an act was passed giving him the power to suspend the factory inspector indefinitely for any neglect or failure to per-

form his duties, or providing for the removal of the recreant official after having given him an opportunity to present evidence in his defense. Soon after the legislature adjourned the Governor practically suspended Inspector Ward, and put his own private secretary, John L. Swayze, in charge of the department. Mr. Swayze immediately took vigorous measures to reform the department, and conducted a thorough investigation as to the conditions which prevailed in the textile industry, the glass industry, and other trades in which children are employed. These investigations showed that the law was being violated in all sections. Mr. Swayze succeeded in forcing the discharge of a number of children who were employed in the silk mills of Passaic County, but found that the violations of the law were largely due to false affidavits made by the parents, and that the law itself was inadequate. In December, 1903, Mr. Swayze made a statement to the Governor, in which he reviewed the conditions of the textile district, which includes the cities of Paterson and Passaic. In the course of this statement he said:

"When the investigation was begun in May last the legal age at which children might work in factories was fourteen for girls and twelve years for boys. On September 1 a new law went into effect making fourteen years the minimum age for both boys and girls. The first few months of the investigation were spent in studying the conditions with a view to learning the true situation as a guide for future work. As complaints were made that the local deputies did not attempt to enforce the law, deputies were transferred from their own districts into other districts and given a list of factories to be inspected. Twice outside deputies were sent into the textile districts and no results were obtained. The number of violations reported by the deputies was so small as to force the conclusion that either there was no child labor in the textile district, or if there was, the local deputy, for some reason, could not find it.

"These investigations were all made before the first of September and practically no results had been obtained. To test the situation further, it was then decided to detail a special investigator who, without a consultation with the local deputy, was sent to Paterson and Passaic. He was instructed to make a thorough investigation of the conditions that prevailed in those cities as to child labor and the fire protection laws.

"He started his work in that district on October 6, and con-



tinued there for six weeks. He was very much crippled in obtaining information that he desired, as it was impossible to give him any legal authority to enter the mills, and the only way in which he could obtain information was through outside investigations. This made the work necessarily very much slower than if he had had the power to enter the mills and examine conditions from the inside. In the short time he spent in the textile districts he reported seventy-three cases of child labor violation in the mills, and not only reported that number, but obtained the street addresses, the names of the parents, the school attended and the age as given by the child and as shown on the school registers in most of the cases. These children ranged in ages, as shown by their own statements and the school registers, from eight to fourteen years, and comprised some of both sexes.

"Needing him in another part of the state, we were compelled to remove the special investigator before he had been able to run down all the cases he had on hand, and at the time he was removed from the district he reported that he had a list of two hundred children whom he had good reason to believe were under the legal age."

By this time Mr. Swayze had convinced himself that the factory inspection and child labor laws of the state were in some respects contradictory, and of doubtful constitutionality, and that in any event they were extremely faulty, and that the burden of proving the age of a child was placed upon the department. By the Governor's direction, Mr. Swayze prepared a bill for the complete re-organization of the department. In the preparation of this bill he sought the assistance of the philanthropic forces of the state and the labor leaders, and of all whose knowledge or experience could give him any assistance. At his request practically the entire literature of the subject was placed at his disposal, and copies of the child labor and factory inspection laws of other states were studied carefully by him in the determination to frame a measure that should be fair and adequate and thoroughly practical. In January, 1904, Mr. Ward concluded to resign the office which he had only nominally held during the previous six months, and Governor Murphy appointed Colonel Louis T. Bryant as chief factory inspector. The appointment was an ideal one in every respect.

On February 8, 1904, Mr. Swayze's bill was introduced in the senate by Senator Bachellor. The bill put the burden of the proof of age on the parent, and the burden of obtaining such proof upon

the employer. The age of a child was established by birth certificates, church records, or passports, according to the class and parentage of the child, and gave the department power to demand a certificate of physical fitness in the case of any child under sixteen. It provided for co-operation without conflict between the department and the boards of education charged with the enforcement of the compulsory school attendance law. It regulated sweat shops, and provided for a commissioner of labor, an assistant commissioner, and eleven inspectors, of whom two must be women; also for the appointment of additional inspectors for special work by the commissioner. The inspectors can be shifted about from one district to another, and the authority to employ extra deputies for special needs enables the commissioner to review the work of any of his deputies at any time. The penalties for violation of the law affect both the parents of the child and the employer, and it was provided that the employer shall keep a register of all children employed for the inspection of the factory inspector and truant officers.

In order to consolidate and crystallize the efforts of all those who had been waging the battle for the children, the Consumers' League called a conference of persons who were interested, from which was evolved the Children's Protective Alliance, which embraces in its membership practically every organization in the state whose purpose concerns the conditions of the children of the poor and their material welfare. This action united the social forces in the state in support of Mr. Swayze's bill. For some time it looked as though the effort might be in vain, as the chairman of the committee to which it had been sent was opposed to its passage. On March 29th a memorable hearing was held. The only serious objectors to the measure who had the courage to come out in the open were the glass blowers, and their opposition was mainly centered upon the section which prohibited night work by children under sixteen years of age. Under the spur of an overwhelming public opinion the committee reported the bill without amendment. On second reading, however, in the senate, an amendment was offered eliminating the provision which prohibited night work. The only vote which was cast in favor of prohibiting night work was that of Senator Bachellor, of Essex County, who introduced the bill. The act as amended was passed unanimously in both houses, and was signed by the Governor

on March 24th. The law did not go into effect, however, until September 1, 1904, and as the fiscal year ends October 31, the recent report of Commissioner Bryant only covers the experience of two months. The report indicates that much has been done by the commissioner to systematize the work of the department. He says that "among the rights under the law to be respected is that of a child which is over fourteen years of age to work, and unless this latitude was permitted a great many hardships would be entailed. On the other hand, a too great laxity in the issuing of special permits would greatly retard the proper enforcement of the law. The department insists before issuing such a permit that evidence be produced showing an effort has been made to obtain the proper records, and that a factory inspector see the child personally, and advise the department that it is in his judgment not only more than fourteen years of age, but also that it is in proper physical condition for employment in factories. It will be seen that a strict enforcement of the present law on affidavits will largely do away with the evil of children under fourteen years of age working under false affidavits, a common practice under the old law. Before the affidavit becomes operative proof of the child's age must have been produced, and the department at Trenton apprised of the conditions by a duplicate set of papers, which are filed with it. The process has the additional advantage of securing our assistance in protecting well-meaning manufacturers by pointing out the inaccuracies in the papers as they are filed with the department. Since the first day of September we have issued, largely upon request, 31,000 blank forms for affidavits, composed partly of those for native and foreign-born children. We have had filed with us since that date approximately 3,000 affidavits made out on the new form. The labor law provides that all affidavits which are filed under the old act previous to the first day of last September have the same force and virtue as those complying with the new requirements. Considering this fact, the number of affidavits received seems to indicate the desire upon the part of the manufacturers to comply with the law. A number of these affidavits are not complete in all the details, and we are insisting upon a strict compliance with the requirements of the law. Another wise section permits the demand for proofs of age. Where the department finds a child working in a factory who is manifestly under age, but cannot obtain proof of the fact, we may demand a



'proof of age.' In this case the custodian of the child must procure proof satisfactory to the department. Another important section empowers the department to demand a certificate of physical fitness. In many cases one child at twelve years of age is much better equipped for factory work than another child at fifteen. Where the physical condition of the child seems to indicate too frail a constitution to carry on the work required of it we may demand a certificate from some practicing physician that the child is strong enough for the work.

"Before making up the forms and blanks for operation of the department we corresponded with practically all the factory departments in the United States, and naturally secured a great mass of literature on the subject. We have adopted a system of blanks which, while not perfect, apparently covers every condition. The inspectors are required to fill out in detail the inspection blanks, and they are in turn filed in the department office. In this manner a history of each case can be found. The system has proved practically satisfactory, and it is particularly effective in detecting cases of re-employment of children who have been discharged from one factory and receive employment in another.

"While ignorance is never an excuse for the violation of the law, at the same time it is so frequently pleaded that we mailed to each manufacturer of the state a copy of the law, prepared by the department in book form, containing an index pointing to the various heads of the act; a copy of both a native-born and foreign-born affidavit; a summary of the new law, for posting in factories, and a scale drawing of the proper fire escape. They were accompanied by a letter calling attention to certain salient features, and volunteering further assistance. These letters have brought on a very considerable amount of correspondence, and show a disposition upon a large part of the manufacturers of the state to comply with the law.

"A criticism has been made that at times when a child is taken from a factory instead of going to school it runs the streets. We have adopted a course of notification designed to obviate this evil. Orders are made for the discharge of a child from an order book in three sections; one is for the stub, giving a description of the case; another contains a notice to the manufacturer to discharge the child within five days after the receipt of the order, and a third is a return slip, apprising the department of the date upon which the child left

their employ. Each case is given a number, and a sister book is kept, wherein the same number is used in each instance, and when a discharge notice is sent out a notice is mailed to the nearest truant officer or other educational authority, informing him that a child of a certain name and address will be discharged from a mill on a given date. While we have not the authority to follow up a case further, at the same time the proper enforcement of the compulsory educational law insures the attendance at school.

"The department has brought, under the old law, twenty-three suits for the improper employment of children, and has secured nineteen judgments, being successful in all but one case which have been finally disposed of at this time. Our present inspections certainly indicate the fact that there are less children under fourteen years of age working in the factories of New Jersey than at any other time in the history of the department. The crowded conditions of the school rooms, shown by reports from various sections of the state, would also bear out this contention.

"The department has endeavored to recognize and protect the various interests of the parties with whom it has to deal. While strictly enforcing the child labor law, at the same time it has aimed to do so in such a manner as to permit every child over fourteen years of age the right to work under the provision of the law. It has also endeavored to administer provisions intended for the betterment of labor conditions in such a manner as to protect the undeniable rights of capital, enforcing the law with as little inconvenience and hardship as possible to the manufacturers. We have been able to accomplish a number of good results without even the necessity of an order. Whenever possible this course will be pursued, as it will be our aim to administer the act insuring to the laborer his just claims without any undue hardships or inconvenience to the employer."

During the year which closed October 31, 1904, the department inspected 1,788 manufacturing establishments, making, in addition to special visits and inspections 2,404 regular inspections. There were 272 orders issued and 397 children discharged as below the legal age.

Shortly after the appointment of Colonel Bryant as chief of the department of labor Mr. John L. Swayze was made assistant attorney-general of New Jersey. In this capacity he acted with

Colonel Bryant in the various suits which were brought for violation of the child labor laws. Most of these were test cases, and some interesting points came up in the decisions. In the case against the Johnston & Murphy Shoe Company of Newark, for the employment of a girl under fourteen, the defendants' superintendent, Charles Gibbons, testified that sometime previous to the date of the alleged violation, the shoe company let its fitting work out on contract to James Waldon, who occupied a room in the building. Last January the firm took the work over, and the contractor's employees were retained. Mr. Gibbons said that as soon as he found out that the girl was under age she was discharged. The court said that lack of knowledge as to an employee's age did not excuse employers from the penalty of violation, if there was violation, and gave judgment for fifty dollars fine.

Another case was that against Barton & Ackerman, silk throwsters, charged with employing Henry Ball, a boy under the legal age of fourteen years. The only witness summoned in behalf of the state was Mr. Wells, the deputy inspector, but Mr. Swayze, after court had opened, requested one of the defendants to take the stand. Mr. Ralph Shaw, counsel for the firm, objected to this, claiming that a defendant could not be called upon to give testimony against himself. Judge Lewis held that the procedure in criminal courts did not hold good in this instance. The court fined the firm fifty dollars, and allowed counsel ten days in which to file an appeal.

The third case was that against the parent of an Italian boy named Imperatore. The boy was employed by James Dutton in the Essex mills under an affidavit signed by his father setting forth that he was born in Aquila, Italy, in February, 1888. The department secured a certificate from the Ufficio di Stato Civile, or Bureau of Vital Statistics of the Commonwealth of Scontrone, Italy, showing that the boy was born in that province in February, 1891.

As a result of these suits, which have been largely advertised, factory owners are taking extraordinary precautions to make sure that those they employ are of the age required by law. In many instances employers have secured certificates not only from children applying for positions, but from those who are already employed prior to the enactment of the new law. The sentiment throughout the state seems to have changed. Where there was almost open disregard there is now a manifestation of watchful care lest the



law may be violated and its penalty incurred. The wholesome respect for the law itself is due to the conviction that it will be earnestly and fearlessly enforced.

One of the largest factories is now working under a rule, recently adopted, that will prove very effectual in prohibiting the employment of children under the age of fourteen. The managers of the concern, after carefully considering the matter, called before them all the contractors in their employ and all heads of departments, and informed them that if at any time while the present state law is in operation a child under the age of fourteen is employed in the factory, the responsibility will be laid upon the man in whose department the child is employed; the company will assume no part of it. If the state officers find the law violated and the company is fined the money will have to be paid by the person in charge of the department in which the child was illegally allowed to work.

As has been said, Commissioner Bryant's report only covers September and October of 1904, so far as the new law is concerned. Now that it has been in operation for six months, the law itself and the quality of administration may be said to have been fairly tested. For the purpose of getting information on these points, and also on the problems of compulsory education, which are so inextricably bound up with that of child labor, I prepared a list of questions as follows, which were sent to the superintendents of schools in all the various cities, and also to others who are dealing daily with the children of the poor, such as child-caring and charity organization societies, probation officers, truant officers, and priests whose parishes include large parochial schools, and some of the best informed clergy of other denominations, and labor leaders:

Do you know of any children under fourteen in your city who are at work in a factory?

Do you know of any families who complain of need because of the enforcement of the child labor law?

Do you believe that the child labor law is being thoroughly enforced in your city?

Is the compulsory education law fully enforced?

Are the schooling facilities in your city adequate for the children of school age?

Are there any factories in your district which employ chil-

dren over fourteen at night? If so, in what industry, and what is the effect on the children?

Can you suggest any deficiencies in the child labor law which might be remedied?

Have you seen any actual results from its operation this winter?

Replies to these questions indicate that so far as their observation and experience extends, the persons to whom the inquiries were addressed are substantially convinced that the child labor laws are being enforced with remarkable thoroughness. Replies have been received from the school superintendents of Asbury Park, Atlantic City, Bayonne, Bridgeton, Camden, East Orange, Elizabeth, Jersey City, Millville, Montclair, Morristown, Newark, Orange, Passaic, Paterson, Perth Amboy, Plainfield, Rahway, Trenton, Union, and West Hoboken.

Only a few of the school superintendents know of any children under fourteen who are at work in a factory. Mr. W. M. Swingle, of Orange, says he has been told that there are children under fourteen at work in factories, and has investigated several cases, and found children under age. The superintendent of the Montclair schools says that he thinks there are a few children under fourteen at work in factories. The superintendent of the Elizabeth schools answers the questions, thus: "No. They have been closely watched." The superintendent of schools in Jersey City replies: "At present, none. A few cases have come to my notice during the past year. In these the law was enforced and the children required to attend school." The chief attendance officer of Newark says: "I have no personal knowledge of any children under fourteen at work in factories. As soon as we hear of any we force them to leave the shop and return to school." The Paterson superintendent says that there are very few children under fourteen in factories. The Perth Amboy superintendent instructed the school principals to put the question to teachers. The latter say they know of "some such cases." The superintendents of Bridgeton, Orange, and Perth Amboy are the only ones that do not believe the law is being thoroughly enforced. The Paterson superintendent says that it is enforced, but not perfectly. The Trenton superintendent says: "Yes, a few. Three or four." Perhaps it is well to say in this connection that very few

people are aware that the law is not retroactive, and that faulty affidavits as to age which were filed under the old law previous to the first of September, 1904, cannot be questioned by the commissioner.

The answers as to the enforcement of the law which have come in from other sources are, with two exceptions, to the effect that the law is being enforced and that the persons who have replied do not know of any children under fourteen who are at work in factories. Father O'Connor, of Harrison, does not think the law is being thoroughly enforced, though he notes a great increase in school attendance. The Rev. Henry Willmann, who is the chairman pro-tem. of the Organized Aid Association of Jersey City, does not think the law is being thoroughly enforced, but only knows of one case of a child under fourteen who is at work, and says that he has had a number of applications for certificates of birth in his capacity as rector of a church. Mr. A. W. McDougall, the secretary of the Newark Bureau of Associated Charities, says that from personal knowledge of cases he has reason to believe that the law is thoroughly enforced. He says that he has seen good practical results from the operation of the law, and adds: "This society is heartily in accord with the present administration of the child labor law, and can testify to its effectiveness. We only hope the department will remain as effective as it is now." Father Whelan, Bayonne, says: "During the month of February, 1905, yes. Up to that time I did not hear of any effort, but then it was rigidly enforced."

With regard to the second query, "Do you know of any families who complain of need because of the enforcement of the child labor law?" the affirmative answers are as follows: Superintendent of schools of East Orange, "two." Superintendent of Jersey City, "A few such cases have come to my knowledge." Chief attendance officer, Newark, "I have at least one or two families every week who complain, but many of the complaints are groundless." Superintendent of Orange, "One or two such complaints have been made." Superintendent of Montclair, "Yes, some families complain." Superintendent of Passaic, "Yes, many." Superintendent of Paterson, "Certainly, yes." Superintendent of Perth Amboy, "Think there are a few." The Plainfield superintendent says, "None with foundation in fact for such complaints." The Rev. Henry R. Rose, Newark, "Yes." The Rev. F. A. Foy, Avondale, "Only one. Italian family of seven children. Girl of



thirteen, quite large, looks fifteen." The secretary of the Organized Aid Association of Plainfield, "Two cases (parents are lazy)." The secretary of the Bureau of Associated Charities of Newark, "Yes, we have had several families. In the majority of cases, however, the enforcement of the law was not the real cause. It was a ne'er-do-well father, or older brothers who shirked, etc." Father O'Connor, "Yes. Parents addicted to drink." Rev. H. Willmann, "I know several families in need because of the enforcement of the law." Poormaster Barck, of Hoboken, "Yes."

In this connection it is interesting to note that a bill was introduced in the assembly by an assemblyman from Hoboken, which would have weakened both the child labor law and the compulsory education law if passed. It provided that a child of school age might be exempt from school attendance "if the circumstances surrounding such child would probably result in such child or its family becoming public charges." It is supposed that this bill was introduced on behalf of the relief authorities of Hudson County, but the bill died in committee.

In response to the question, "Have you seen any actual results from the operation of the child labor law this winter?" most of the answers are simply "Yes." The superintendent of the Trenton schools presented the questions to the principals of the different schools, and has summarized their reports. He says: "Many children are in school who would otherwise have been at work. Many have returned to school who were at work. Many have been refused employment and then advised to return to school by the managers of industrial concerns."

The superintendent of the Orange school says: "I know of several cases where the children have been discharged and are now in school." The superintendent of the Elizabeth schools says that many children were dismissed from Singer's factory, and other places. The superintendent of the Millville school reports "Fuller schools." The Paterson superintendent says: "Yes, of course. Our inspector has been active." The Passaic superintendent reports "Increased attendance at school." The Newark attendance officer says: "The effect of the law has been to make factory and workshop owners more careful in their employment of children. It has acted as a deterrent." Father O'Connor reports: "Great increase in school attendance." Father Gessner reports: "The result is very good, so

far as I can see. The only fault I have to find is that there are too many children around the corners who ought to be in school." The Rev. James I. Vance says: "Yes, some children have been kept from the mills." The Montclair superintendent says: "Fourteen or fifteen girls under sixteen years were employed from 7 a. m. until 9 p. m. for four nights a week during three or four weeks."

Father Whelan, of Bayonne, says: "During February, 1905, I interested the inspector to visit the Standard Oil children who worked there every day, Sunday included. He did good work in enforcing the fifty-five hours law for those under eighteen, and thus stopped Sunday work. He had some children withdrawn from the silk factory."

Mr. E. J. Falsey, the vice-president of the Mercer County Central Labor Union, says that there has been a large increase in school attendance. He does not know of any children under fourteen who are at work in a factory, and says that while the law may be improved upon, he believes that it would be best to wait until the time ripens before making any changes. He adds: "I feel confident that the department of labor has done the best they could under the new law, and the enforcement of this law is only too well shown by the opposition which is shown from time to time. The department of labor has done remarkably when you take into consideration the conditions that existed when it was inaugurated. Would like to see sixteen years for girls."

With regard to the possible deficiencies in the child labor law, the following suggestions were made:

Henry Snyder, superintendent of schools, Jersey City, "The provisions of law for the support of destitute families should be more ample. If the law keeps children from work, and requires them to attend school, it should also provide them with proper maintenance, if the parent or parents are in indigent circumstances. This help should be given in such a way as to maintain the family organization and relations, if the parental or family influence (in the cases of the families in question) is wholesome. In some cases pleas have been made to us to allow children of widows to remain away from school in order that they might by their earnings help in the support of mothers and other children. This course is sometimes urged upon us by well-meaning people, who think the law is unnecessarily severe. We have invariably refused, because

the law does not permit us to accede to such requests, and because (which is more important) a policy which helps some individuals by injuring others, viz., those children who labor, cannot be judicious. We should aim rather to benefit all. To do this it is necessary to give public or private aid to some children and families. And, as I have already said, the law should permit public aid to be given, or, rather, should require public aid given (if private aid is not available) in such a way as to maintain the family circle."

James A. McCall, chief attendance officer, Newark: "The main deficiency apparently is that it is not really a child labor law, but a factory law, as it covers factories and workshops only. It should undoubtedly cover all forms of child labor."

O. I. Woodley, superintendent of schools, Passaic: "I think educational qualifications at fourteen years of age before receiving a permit to leave school is desirable, a transfer to be issued when the child is able to do certain specified things called for in the course of study. Many of those who leave our grades here at fourteen years of age know so little that in no way can they subsequently become well informed and useful citizens. There is so much dishonesty concerning the ages that this entire matter could be greatly simplified if the educational qualifications were regarded. Parents are actuated by the desire for money, while teachers of schools are actuated by the desire to have every child possessed of the power to be a part of the life in which he is to live."

W. E. Chancellor, superintendent of schools, Paterson: "Factory inspectors on high salaries, and perfect tenure." (Sic.)

H. M. Maxson, superintendent of school, Plainfield: "The law is not at hand; but if it exempts any class of children (gas, factory or telegraph and messenger boys) I deem it imperfect."

Robert Waters, superintendent of schools, West Hoboken: "I think the clauses in the school law, if enforced, are sufficient."

Rev. Henry R. Rose, Newark: "Right of petition to the court of common pleas has been suggested to me as a course that should be allowed, where to keep children from work will mean the pauperizing of their parents."

Miss Anna H. Van Meter, secretary of the Associated Charities of Salem: "No. I approve of a child labor law. Yet, even in this small place more children go to ruin from laziness than work."

Rev. T. J. Moran, Catholic Protectory, Arlington: "More



severity in enforcing school laws on the part of those having the authority, and more severity in keeping boys and girls of school age off the streets on part of the police. Without these nothing can be done."

Rev. F. A. Foy, Avondale: "In view of the hardship of the law as it stands, in certain cases would it be well to rest discretionary powers in the commissioner of labor so as to permit children under fourteen who are more than usually developed physically (i. e., when the development is as great or greater than the average child at fourteen years) for their age, to work in factories, provided the family is destitute and needs the wages of the child? Application might be made by the overseer of the poor or by any incorporated child-caring or charitable society, to the commissioner, who might prescribe the nature of the proofs required (viz., physicians' certificate as to physical conditions, etc.), and the commissioner could also investigate for himself. He should be charged with taking into view all the circumstances, educational and physical, touching the application, as a basis for his exercise of discretionary power. A special clause should free such a child (after favorable action by the commissioner) from the operation of the compulsory education law. I don't think it could be construed as 'class legislation' under the New Jersey decisions, and it would therefore be constitutional."

Harry L. Barck, Jr., overseer of the poor, Hoboken: "The truant boy may do better in a factory."

Mr. A. W. McDougall, secretary of the Bureau of Associated Charities of Newark: "I think there should be an education qualification."

Otto W. Davis, the superintendent of the Charity Organization Society of Paterson, says that he does not know of more than four or five families who have complained of need because of the enforcement of the child labor law in two years, and that there are practically no children in Paterson who are employed in factories at night. He adds: "The only complaint which I have to make regarding the child labor law is on the side of the compulsory education. There is no systematic attempt in this city to compel children under fourteen to attend school. We have only one truant officer going about in strips and making great fun for the boys as they dodge him around the corners. If the compulsory education law was anywhere as nearly as well enforced as the law prohibiting children

working under fourteen years, the situation would be much more commendable. As it is, children are sent home from the mills by the inspector only to go to work elsewhere or play around the streets, in spite of the fact that all children discharged by the inspector are reported to the superintendent of schools. I believe our inspector, Mr. Wells, deserves much credit for his faithfulness in performing his duties.

"The only cases I know of where children are working under the age limit are those of certain boys where the efforts of both truant officer and the parents have failed utterly to compel the boy to go to school, and where he is in danger of going to the bad on account of being left in the street. I have just come from visiting such a case this afternoon. The parents did not want the boy to work, and have done everything in their power to get him to go to school, but all in vain. He has even been locked up for truancy, all to no avail. He was rapidly going to the bad when set to work and is now doing nicely. I confess that in such a case as this I am at a loss to know what is best to do: obey the law and ruin the boy, or save the boy and slight the law."

Mr. James E. Bryan, the superintendent of public schools in Camden, says: "We are studying this whole matter, but do not feel in position, after so short a time, to give information yet."

Mr. Richard Stevens, probation officer for Hudson County, endorses the labor department, but believes that "factory inspector should have power to grant permission in certain cases for children under fourteen to work, with safeguards against abuse." He says the compulsory education law is not fully enforced.

Miss Kremm, the secretary of the Elizabeth C. O. S., says that the child labor law answers all present needs, and is well supported, but that schooling facilities are inadequate. She adds: "A number of children have applied at this office, asking the society to use its influence to place them again at work. In all but one case we have refused. One case we were satisfied to interest ourselves in, but the labor commissioner said that no exception could be made. We have had to assist families which were dependent on the earnings of children under the age limit."

Mr. J. H. Christie, superintendent of Bayonne schools, says that the law is thoroughly enforced in factories. Bayonne has no truant officers, but is preparing for them. The schooling facilities

are not adequate, and he complains of the lack of a place for "in-corrigibles." He knows of no families in need because of the operation of the child labor law.

Apart from the failure to prohibit night work for children between the ages of fourteen and sixteen, the only point in regard to which the law itself has been seriously criticised is that it lacks a provision requiring the actual educational test of scholarship. There are undoubtedly some cases of children who have reached the age of fourteen without even learning to read and write. If so it is due to one of the following reasons: First, because the child's attendance at school has been very irregular, to the point perhaps of actual truancy. This of course implies that the compulsory education law has not been properly enforced, either because of the lack of sufficient school facilities or of any provision for the employment of a truant officer. Second, that the child is abnormally dull and slow, which probably implies that it belongs to the backward or atypical class, for whom special classes should be provided; or, third, that the child is a recent immigrant, and has not been in the country long enough to get the benefit of our public school system. The practical expediency and value of an educational test in connection with the child labor law seems to be a debatable one. However this may be, it is certain that at the present time there are comparatively few manufacturing communities in New Jersey where the question has any immediate practical bearing upon the child labor problem. The enormous industrial development of the past decade in northern New Jersey, with the remarkable increase in population, has strained the resources of the important cities to the debt limit allowed by law. The amount of bonded indebtedness is definitely restricted, and in spite of the fact that the cities are steadily and continuously putting up new schools, there are a number of communities which have not yet caught up with the increase in the children of school age, and are consequently hampered, if not prevented, from the strict enforcement of the compulsory education law. The appointment of truant officers is a very recent matter in all but three or four favored communities, and it is generally felt by those who have given the matter any study, that the next important step in welfare work for the children of New Jersey is the extension of the truancy system and the establishment of parental schools. At the instance of the State Board of Education Judge Scott, of Paterson, presented a bill to



the recent legislature providing for the establishment of county schools of detention, for the care of habitual truants and dependent and delinquent children under sixteen whom it may seem necessary to hold in custody by virtue of the order of any of the courts of common pleas. The act provided for complete school equipment. Unfortunately the bill failed of passage.

The child labor act has been recently supplemented by a bill including all the provisions of the old law relating to the inspection of bakeries. In this bill night work for children under sixteen is prohibited, and it is hoped that with this as an entering wedge it may be possible next year to pass a bill prohibiting the employment of children at night under sixteen in all factories or workshops. The glass factories seem to be the only ones which now employ children at night.

The city of Newark passed a municipal ordinance last year licensing newsboys, which has been vigorously enforced, and works very well.

When Governor Murphy appointed the eleven deputy inspectors in the department of labor he wrote each one of them as follows:

"Your first duty will be to study the law so as to become familiar with what it requires on the part of those whom it affects, and what is your duty under it.

"The law must be enforced, not in a way to annoy, but in a fair and considerate manner. But it must be enforced, and your duty under it must be faithfully and continuously performed. I have appointed a chief commissioner who is in full sympathy with its provisions and who will give you instructions concerning the detail of your work. These instructions he will expect you to follow implicitly.

"It is believed that the proper enforcement of the law will prove of great advantage to the people of the state, and I count upon your loyal and unfailing support in the discharge of your duties."

No state or country has yet succeeded in devising a child labor law and a factory inspection system so perfect as to work automatically. With the co-operation of the educational authorities and the philanthropic forces of the community, and the backing of a strong public sentiment, the cases of disobedience should, however, be few and exceptional. On the whole I think it may be doubted if

there is any state in the Union where the employment of children is more carefully, thoroughly, justly, and wisely regulated than in New Jersey at the present time, excepting for the unfortunate fact that children between the ages of fourteen and sixteen are still employed at night. The department has been taken out of politics and put on an honest basis in the hands of a firm and able administrator.

## CHILD LABOR LEGISLATION,—A REQUISITE FOR INDUSTRIAL EFFICIENCY

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We continually assert that we are living in an industrial age and on many occasions we openly boast of our industrial achievements; it is, for instance, almost impossible to make an acceptable Fourth of July oration without impressive mention of the railroads and telegraph lines "which bind together a mighty continent." Although in our moments of expansiveness we so fully admit this successful industrialism, at other times we seem to be ashamed of it and continually insist that we must find our culture, our religion and our education quite outside of it, as if the inner world developed in complete independence of the outer. This may be one reason that our culture, our religion and our education so often seem weak and feeble compared to our industrialism. We fail to realize that because we are living in an industrial age we must find our culture through that industry, and that to seek culture in some other age—that is not our own—is to wear a borrowed and ill-fitting garment; that if we fail to apply our religion to the industrial situation and refuse to be guided by it through the problems which current industrialism develops, that it perforce becomes meaningless and remote, and that even more is this true in regard to education. A school which fails to give outlet and direction to the growing intelligence of the child "to widen and organize his experience with reference to the world in which he lives" merely dresses his mind in antiquated precepts and gives him no clue to the life which he must lead. It was formerly assumed that a child went to school unwillingly, and that he there entered into an unending struggle with his teacher, who was often justified in the use of coercion. The new pedagogy, which is so ably represented in New York, holds that it is a child's instinct and pleasure to exercise all his faculties and to make discov-



eries in the world around him, that it is the chief business of the teacher merely to direct his activity and to feed his insatiable curiosity. In order to accomplish this he is forced to relate the child to the surroundings in which he lives, and the most advanced schools are using modern industry for this purpose.

Educators have ceased to mourn the changed industrial conditions in which children were taught agricultural and industrial arts by natural co-operation with their parents, and they are endeavoring to supply this disadvantage by manual arts in the school, by courses in industrial history, and by miniature reproductions of industrial processes, thus constantly coming into better relations with the present factory system.

The advocates for child labor legislation, as all the sessions of this conference have testified, are most heartily in sympathy with this new standpoint, and in several notable instances the advanced educator is he who is most conspicuously striving for adequate legal protection for the child. The members of this conference are in no sense those who advocate a life of idleness or of meaningless activity for the growing child, nor do they believe in a spurious or "leisure class" culture. On the contrary I hope to be able to show that because we recognize the significance and power of contemporary industrialism that we hold it an obligation to protect children from premature participation in its mighty operations, not only that they may secure the training and fibre which will later make that participation effective, but that their minds may finally take possession of the machines which they will guide and feed.

There has been for many years an increasing criticism of the modern factory system, both from the point of view of the worker and from the point of view of the product itself. It has been said many times that we cannot secure good workmanship nor turn out a satisfactory product unless men and women have some sort of interest in their work, and some way of expressing that interest in relation to it. The system which makes no demand upon originality, upon invention, upon self-direction, works automatically, as it were, towards an unintelligent producer and towards an uninteresting product. This was at first said only by such artists and social reformers as Morris and Ruskin, but it is being gradually admitted by men of affairs and may at last incorporate itself into actual factory management, in which case the factory itself will favor child

labor legislation or any other measure which increases the free and full development of the individual, because he thereby becomes a more valuable producer. We may gradually discover that in the interests of this industrial society of ours it becomes a distinct loss to put large numbers of producers prematurely at work, not only because the community inevitably loses their mature working power, but also because their "free labor quality," which is so valuable, is permanently destroyed. Exercise of the instinct of workmanship not only affords great satisfaction to the producer, but also to the consumer who is possessed of any critical faculty.

We are told that the German products hold a foremost place in the markets of the world because of Germany's fine educational system, which includes training in trade schools for so many young men, and that there is at the present moment a strong party in Germany opposing militarism, not from the "peace society" point of view, but because it withdraws all of the young men from industrial life for the best part of three years, during which time their activity is merely disciplinary, with no relation to the industrial life of the nation. This anti-military party insists that the loss of the three years is serious, and the nation cannot successfully hold its advanced place if it must compete with those nations who do not thus withdraw their youth from continuous training at the period of their greatest docility and aptitude.

It is said that among the workingmen of England, many of whom are engaged in supplying those cheap markets composed of semi-savage people which it is the pride of Great Britain to open to her manufactures, there is growing up a protest against the cheap and inferior articles which they are constantly obliged to make. The workers in the factories producing these unworthy goods are beginning to feel robbed of the skill which would be demanded if they were supplying the markets of civilized people and were ministering to the demands of increasing taste. "Cheap and nasty goods have an evil effect upon the producer as well as upon the consumer." It would be a curious result if these very markets which the British empire has so eagerly sought would finally result in so debasing the English workingmen that they would at last be shut out from their legitimate share of the civilized markets of the world. It would be easy to produce other illustrations to demonstrate that in the leading industrial countries a belief is

slowly developing that the workman himself is the chief asset, and that the intelligent interest of skilled men, that power of self-direction and co-operation which is only possible among the free born and educated, is exactly the only thing which will hold out in the markets of the world. As the foremen of factories will testify again and again, factory discipline is valuable only up to a certain point, after which they must depend upon something else if they would achieve the best results.

The smallest child I ever saw at work was in a southern mill, —a little girl of five walked up and down her short lane in a spindle room. The product the mill was turning out was cotton sheeting of the coarsest sort, which was said to be designed for use in the Chinese army. Quite naturally a child of five, holding her snuff stick against her first "milk-teeth" and tying threads with her clumsy baby hands, could not contribute to a product demanding care and skill, and a mill which used up the labor power of its community in such reckless fashion could never hope to compete with the product turned out in another community in which a large share of the mechanics had been carefully educated in the public school and in which the municipality itself sustained a textile school.

Monopoly of the raw material and newly-opened markets are certainly valuable factors in a nation's industrial prosperity, but while we spend blood and treasure to protect the one and to secure the other, we wantonly destroy the most valuable factor of all, which is intelligent labor.

We have made public education our great concern in America and perhaps the public school system is our most distinctive achievement, but there is a certain lack of consistency in the relation of the state to the child after he leaves the public school. At a great expense the state has provided school buildings and equipment, and yet other buildings in which to prepare professional teachers. It has spared no pains to make the system complete, and yet as rapidly as the children leave the school room the state seems to lose all interest and responsibility in their welfare, and has, until quite recently, turned them over to the employer, with no restrictions as to the number of hours he shall permit them to work, nor as to the sort of employment which he shall give them. The Webbs long ago used in illustration of this contradictory attitude of the state the



story of an employer who might ask the state to equip his factory with machinery of recent invention that he might use it for his own profit and with but the incidental benefit to the community; at the end of a few years finding it worn out, he would again apply for a new equipment of a later device and value, throwing the old back upon the state which had previously given it to him. The Webbs insist that this is analogous to the employer asking the state for children, who have been educated in the public schools, demanding that they be especially drilled in habits of obedience and promptness and in those practical studies which make them the most useful to him; he puts them to work, and if they are worn out at the termination of a few years by labor beyond their strength, the state will have to care for some of them in its hospitals and poorhouses, but it takes them back without a word of protest against the employer who demands a fresh lot, educated in accordance with his requirements, which he may again overwork without any interference from the state. At no point does the community say we have allowed you to profit by the labor of these children whom we have educated at great cost, and we demand that they do not work so many hours that they shall be exhausted, nor shall they be allowed to undertake the sort of labor which is beyond their strength, nor shall they spend their time at work which is absolutely devoid of educational value. The preliminary education which they have received in school is but one step in the process of making them valuable and normal citizens, and we cannot afford to have that intention thwarted, even though the community as well as yourself may profit by the business activity which your factory affords. Such a position seems perfectly reasonable, and yet the same citizens who willingly pay taxes to support an elaborate public school system strenuously oppose the most moderate attempts to guard the children from needless and useless exploitation after they have left school and have entered industry.

Mr. Edgar Gardner Murphy, a member of the National Child Labor Committee, has said that child labor is a national problem, even as public education is a national duty. The children of Alabama, of Rhode Island and Pennsylvania belong to the nation quite as much as they belong to each state, and the nation has an interest in the children at least in relation to its industrial efficiency, quite as it has an interest in enacting protective tariffs for the preservation of American

industries. In a democratic country children in one station of life are quite as valuable as those in another, not only from a human point of view, which is true the world over, but from a strictly national point of view, and in studying industrial conditions in the light of their effect upon the children we may discover that the children cannot be adequately protected by too much deference to state lines, quite as it was found that a railroad commission must represent interstate authority in order to deal with railroads which were independent of state boundaries. There is a distinct manufacturing region composed of Western Pennsylvania, West Virginia and Ohio in which similar labor conditions prevail, and yet Ohio has a law which forbids a child under sixteen to work all night, in Pennsylvania any child over thirteen may work all night, and in West Virginia any child over twelve. The manufacturing establishments in these three states enjoy the same protective tariff and railroad rates, concerning which the federal government is most alert that no discrimination shall be made, and yet the nation is quite unmoved if the children in West Virginia are crushed and brutalized by being allowed to do night work four years earlier than the children of Ohio.

Uniform compulsory education laws in connection with uniform child labor legislation are the important factors in securing educated producers for the nation, but there is another side to the benefits of child labor legislation represented by the *time element*, the leisure which is secured to the child for the pursuit of his own affairs, quite aside from the opportunity afforded him to attend school. Helplessness in childhood, the scientists tell us, is the guarantee of adult intellect, but they also assert that play in youth is the guarantee of adult culture. It is the most valuable instrument the race possesses to keep life from becoming mechanical. The child who cannot live life is prone to dramatize it, and the very process is a constant compromise between imitation and imagination as the overmastering impulse itself which drives him to incessant play is both reminiscent and anticipatory. In proportion as the child in later life is to be subjected to a mechanical and one-sided activity and as a highly-subdivided labor is to be demanded from him, it is therefore most important that he should have his full period of childhood and youth for this play expression, that he may cultivate within himself the root of that culture which can alone give his

later activity a meaning, and this is true whether or not we accept the theory that the æsthetic feelings originate from the play impulse with its corollary—that the constant experimentation found in the commonest plays are to be looked upon as “the principal source of all kinds of art.” In this moment, when individual forces are concentrated and unified as never before, unusual care must be taken to secure to the children their normal play period, that the art instinct may have some chance and that the producer himself may have enough coherence of character to avoid becoming a mere cog in the vast industrial machine.

Quite aside also from the individual development and from the fact that play in which the power of choice is constantly presented and constructive imagination required is the best corrective of the future disciplinary life of the factory, there is another reason why the children who are to become producers under the present system should be given their full child-life period.

The entire population of the factory town and of those enormous districts in every large city in which the children live who most need the protection of child labor legislation consists of people who have come together in response to the demands of modern industry and who are held together by the purely impersonal tie of working in one large factory, in which they not only do not know each other, but in which no one person nor even group of people, knows all of them. They are utterly without the natural and minute acquaintance and inter-family relationships which rural and village life affords, and are therefore much more dependent upon the social sympathy and power of effective association which is becoming its urban substitute. This substitute can be most easily experienced among groups of children.

Play is the great social stimulus, and it is the prime motive which unites children and draws them into comradeship. A true democratic relation and ease of acquaintance is found only among the children in a typical factory community because they readily overcome differences of language, tradition and religion, which form insuperable barriers to adults. “It is in play that nature reveals her anxious care to discover men to each other,” and this happy and important task children unconsciously carry forward day by day with all the excitement and joy of co-ordinate activity. They accomplish that which their elders could not possibly do, and they render a



most important service to the community. Social observers comment upon the influence of this group and gang spirit as it is carried over into politics, but no valuable observations have as yet been recorded of its relation to the present system of production, which is so pre-eminently one of large numbers of men working together for hours at a time, probably because the factory offers so little opportunity for its exercise compared to the operations of self-government even in its most unsatisfactory manifestations in a crowded city quarter.

It would bring a new power into modern industry if the factory could avail itself of that *esprit de corps*, that triumphant buoyancy which the child experiences when he feels his complete identification with a social group; that sense of security which comes upon him sitting in a theatre or "at a party" when he issues forth from himself and is lost in a fairyland which has been evoked not only by his own imagination, but by that of his companions as well. This power of association, of assimilation which children possess in such a high degree, is easily carried over into the affairs of youth if it but be given opportunity and freedom for action as it is in the college life of more favored young people. The *esprit de corps* of an athletic team, that astonishing force of co-operation, is, however, never consciously carried over into industry, and is persistently disregarded. It is indeed lost before it is discovered, if I may be permitted an Irish bull, in the case of children who are put to work before they have had time to develop the power beyond its most childish and haphazard manifestations.

Factory life depends upon groups of people working together, and yet it is content with the morphology of the group, as it were, paying no attention to its psychology to the interaction of its members. By regarding each producer as a solitary unit a tremendous power is totally unutilized, but in the case of children who are prematurely put to work under such conditions an unwarranted nervous strain is added as they make their effort to stand up to the individual duties of life while still in the stage of group and family dependence. We can all recall moments in our childhood when we were not allowed to go "out to play" with other children and were overcome with rage and helpless despair as we looked from the window at the playing group which we could not join. We can recall moments of even more bitter isolation when we were "with the

others," but owing to some eccentricity of dress or some other stupid mistake of a controlling adult, we still felt quite outside of the group which we so fervently called our own. Some such remembrance may perhaps aid our imagination in behalf of the solitary child working in a crowded factory.

We naturally associate a factory with orderly productive action, but similarity of action without identical thought and co-operative intelligence is coercion and not order, and the present factory discipline needs to be redeemed as the old school discipline has been redeemed. In the latter the system of prizes and punishments has been given up not only because they were difficult to administer, but because they utterly failed to free the power of the child. "The fear of starvation," of which the old economists made so much, is, after all, but a poor incentive to work, and the appeal to cupidity by which a man is induced to "speed up" in all the various devices of piecework is very little better. The natural reaction against these in the determined efforts of workmen "to limit the output" has arraigned the entire system. It is the old revolt against incessant muscular labor divorced from any exercise of the instinct of workmanship and devoid of the creative touch of the artist.

Let us realize before it is too late that in this age of iron, of machine-tending, and of sub-divided labor, that we need, as never before, the untrammelled and inspired activity of youth. To cut it out from our national life, as we constantly do in regard to thousands of working children, is a most perilous undertaking and endangers the very industry to which they have been sacrificed.

We may in time learn to be discontented with the pleas which we continually put forth on behalf of more adequate child labor legislation, demanding, as we continually do, that the child be secured his normal period of growth and his full chance to acquire such education as the state is able to provide; we may in time add to that, that we are imperilling our civilization because at the moment of its most marked materialism we wantonly sacrifice to it that eternal spirit of youth, that power of variation which alone prevents it from degenerating into a mere mechanism; that in the interests of industrial efficiency we will be obliged to extend legislation for the protection of working children.

## CHILD LABOR FROM THE EMPLOYER'S POINT OF VIEW

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BY EMIL G. HIRSCH,

Professor of Rabbinical Literature and Philosophy in the University of Chicago.

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Enlightened self-interest is declared by orthodox economics to be the one central shrine at which every normal human being pays spontaneous worship and receives, in return, rewarding and stimulating inspiration. The Fetich there enthroned is incessantly invoked by the high priests presiding over its oracles, both when what they declare to be foolish and iniquitous attacks are devised on the inalienable privilege of the stronger to exploit the weaker, and also when with unctious emphasis counsel is dispensed to the ambitious with a view to luring them to earnest efforts. That at the goal of the race run in keeping with this god's pronunciamientos wonderful prizes are awaiting the successful while disobedience entails disaster, is the recurrent appeal and admonition of the school.

For the nonce, I shall range myself among the devotees of the dogma. I accept it blindly and upon faith. Whether its psychology be sound shall not constitute my solicitude. I concede that men are beasts of prey, with predatory instincts held in leash only by cold calculations of possible consequences that might prove costly and uncomfortable to themselves. I shall not even quibble whether the doctrine of enlightened egotism be intended merely as descriptive of the processes actually effective or be also meant as normative and regulative, as a law imbedded in the very nature and harmony of things. Such enquiry would lead too far afield into the domain of ethics, and the ethical aspect of the problem before us lies outside the immediate field of my observations. To economize time, I assume that the principle of enlightened self-interest wears the crown and wields the scepter in the modern counting-houses and factories. It is the Egeria reverentially consulted by keen-minded merchant and



alert manufacturer. The school has laid bare the motive of industrial and commercial ambition. Shall, under its recognized dominancy, child labor be tolerated? Has the premature employment of children in mine and mill, in shop and on the stage, the credentials of approval by the school's own central criterion? Shall self-interest not prompt the employer of labor to close the door of foundry and factory against children?

Profit and loss, let us concede, are the final determinants of the soundness or the reverse of a commercial policy. Vulgarly phrased, men are not in business for their health. Is child labor profitable?

But little reflection will disclose that it is not. In the equation of modern industrial and commercial success, economy in time as well as in material is a dominant factor. Work to be profitable must be intense, and the degree of intensity must never be allowed to decline. This is due to the extent in which specialization has been carried out in the organizing of effort under the principle of division of labor. The colossal appetite of our steam-driven machinery must not be left unfed for the smallest particle of time. If it is, waste ensues, and waste spells loss. The investment represented by the steam engine, the consumption of fuel, the labor required for its care and supervision, depends for its profits upon the alertness with which the working force engaged upon production responds and maintains the tempo of activity. Boys and girls with undeveloped bodily frames are physically incapacitated from keeping up with the pace of productivity set as required by even the minimum of profitableness in the organization and machinery of a modern mill or mine. Their presence interferes with the speed and intensity of application on the part of adult laborers. Though nominally the wage account would seem when superficially examined to favor the employment of child labor on the score of its greater cheapness, when all the factors are considered the result bears an altogether different aspect. It is saving at the spigot and wasting at the bung. Coal, care of machinery, rent of structure, investment represented by the plant, cost of administration, insurance, and so forth, all enter into the computed cost of labor. The difference between the wage of the child and that paid an adult does by no means cover and balance the difference in profitableness between adult and child work. Grown persons by maintaining the required degree of intensity reduce the

proportionate expense in fuel, machinery, rent, administration, to a point where profit is probable. Child labor will not accomplish this. The original cost of child labor is always higher than that of adult labor. Enlightened self-interest advises the elimination of the child from factory and mine.

Mentally the child is incompetent to sustain the required tension of interest without which co-operative labor is rendered almost impossible. The child mind cannot be attentive as long as that of the adult. It easily wearies; it is under constant temptation of distraction. Play is the child's natural privilege. One cannot expel nature—as a well-known Latin adage has it. Forced out of one door, the child nature will re-enter by another. The child workers will play. To maintain discipline among them is a task of exceedingly great difficulty. Still, without discipline profitable co-operation in our highly specialized system of production or distribution is impossible. Cash boys and cash girls in our mammoth department stores are for this reason not merely a source of irritation to managers and patrons alike, they are also a source of avoidable loss. The work they do could be done much more efficiently, under greater freedom from vexatious delays and errors, by a force of adults not half as numerous and therefore doubly as economic.

Again, under child labor waste of material must be expected. Labor to be profitable must be intelligent. Intelligence will pay in the end, though the first purchase price may be higher than is that for stupidity and inexperience. The child cannot be expected to be as intelligent as the adult. It is not as careful of the tools, nor as cautious in the handling of the material. It allows much to go to waste which the adult laborer always saves and turns to good account. Wise employers have begun to realize these drawbacks inherent in child labor. The number of them that plead for the privilege of employing children on the ground of the profitableness of their labor is becoming smaller every year where wise legislation has under compulsion demonstrated, as it always will, the reverse.

The opposition to restriction by the state now pretends or believes itself to be actuated by motives of social benevolence. Child labor, though not altogether profitable to the employer, is said to be advantageous to society, in as much as it enables many a family to keep together and in economic independence that otherwise would drift apart or, at all events, lapse into social dependency. That this

assumption is fallacious is not in great doubt. Child labor in competition with the labor of the parents necessarily tends to reduce the economic value of the latter. The family is not even economically profited by forcing the young prematurely into the mills and mines. If I dared venture into the moral bearings of this part of the subject, I should insist with good reason that nothing tends toward disrupting and undermining the family so perniciously as the premature economic independence of its immature members. Were even the economic fallacy not to be considered, according to which the wage of the father and mother is not affected by the labor of the child in competition with the parents this element of danger might indeed give the defenders of unrestricted liberty for exploiting child-life some pause. At all events there is one aspect that should appeal to the far-sighted enlightened employer. The employer is, or should be, a taxpayer. The tax rate is also a factor in the financial equation of his ventures. Present abuse of children, the denial to children of the opportunity to develop physically, mentally and morally, must affect the physical status and the mental and moral condition of the adults to-morrow.

Intemperance and crime make heavy drafts on the exchequer of organized society or government. But what is in most cases the producing microbe of intemperance? Is it not disordered nerves? Crime, again, has come to be known as depending upon physical conditions of body and mind. Exhaustion of childhood engenders disorder in young manhood and womanhood, which produces intemperance and all its consequent evils, and in many cases in parents the propensity to criminal and immoral indulgences. In consequence jails and insane asylums, houses of refuge for the fallen, penitentiaries must multiply. Their maintenance falls heavily on the taxpayer. This item in the ledger emphasizes the unprofitable character of child labor. Idleness in young years is not as prolific of immoral and criminal leanings as is premature employment. I have suggested the baneful effect on the nerves of the young. Who will dispute the equally pernicious influence on their morals by the surroundings in the factory or the department store? Who will deny that premature consciousness of earning capacity must foster a spirit of insubordination to parental authority? All these are elements that have made for the spread of moral contagion, which in turn is an item of expense in the budget of our municipalities and



counties, ultimately assessed on the employer. Let the young attend school, let the schools be centres of rational preparation for life, keep the youth of the land out of the mills, the mines, the shops, and you will keep them later out of the dance halls, the saloons, the brothels, the jails and the penitentiaries. Give us compulsory education in conjunction with restrictions on child labor, and child saving by means of police magistrates and reformatories will soon disappear. The adult drunkards and thieves and prostitutes will become fewer, and the tax rate decrease proportionately. Let us not forget that for the welfare of society, the promotion of greater reverence for parental authority and family affection is of prime importance. Yet the factory that lures the child away from home and school, and creates in its mind the impression of economic independence from parents by turning it into a bread-winner, cannot but exert an influence fatal to home affections and virtues, and as an unintentional, but effective, enemy of family ties open the floodgates to streams of corruption, menacing the health of the nation as well as the happiness of its fathers and mothers and sons and daughters. Patriotism which looks to the preservation of school and home always pays by reducing the expense account for police and penitentiaries.

And so does *justice* always pay, and therefore ought to appeal to enlightened egotism. Bitterness of social conflict and contrast is wasteful. Whatever promises to eliminate distrust and rankling sense of injustice from the relations of man to man, of employers and employees, has a financial value. It helps to increase profits. Social war and social armed truce are expensive. Abandonment of child labor cannot but make for increase of social peace. This bitterness, at all events, is removed which now must possess the child laborer's and his parents' hearts. The sons and daughters of the more fortunate classes attend school. They may play in the hours of relaxation. The children of the masses are deprived of the opportunity to become educated, to cultivate mind and soul; they are robbed of the golden smiles of innocent play and pastime. No wonder that they doubt that justice is inherent in the order of things; no wonder that they rebel against a fate which robs their children of childhood and thereby also of their full manhood and womanhood.

For that is the bitterest of all injustices that despoiled childhood invokes robbery of adolescence and virility, and strength and beauty,

the promises of later years. This is certainly not compensated for by the wage paid the child. Granted for argument's sake the employer pays the child for its present time and effort, in what way does he compensate it for the loss of its future health, happiness, vigor of body, mind and soul? He does not. He cannot. Thus he receives what he does not pay for. He is unjust. Of this injustice the laborer complains. Its toleration is one of the accusations which he lays against the prevailing social order. He feels that upon him is laid a burden which he should not carry. Laws against child labor will lift that burden. They will thus make for increase in confidence, for greater social goodwill. They will thus help to make economic labor profitable to both employer and employee.

Another consideration enlightened self-interest should lay near the mind of employers. Employers need "hands." Where are they to come from if children are prematurely exploited? The children of to-day ought to be the fathers and mothers of to-morrow. But they cannot be if they are devitalized in their childhood. And that is their fate where they are immolated on the altar of greed's Moloch. As yet immigration has not opened the eyes of many to this serious phase of the matter. But let Europe cease sending us its surplus or its scum, its energy and its misery, the short-sightedness of a policy which abuses the root and thus forestalls the growth of branches will become apparent at once. Our barren timber-robbled mountain crests monument a similar folly, but in a domain infinitely less determinative of human happiness and individual and national prosperity than that in which men and women are at stake. Deprive the children of to-day of to-morrow's strong manhood and womanhood and the employers will be deprived of strong men and women for to-morrow, and the day after. The sons and daughters of enfeebled men and women will be so stunted intellectually and so stunted physically as to be but poor substitutes for the sturdier men and women who worked yesterday.

We must have strong children to have strong men and women. I repeat, this aspect of the case is not so readily recognized in this country as perhaps it would be elsewhere. The kindness of foreign lands—among others, the Czar of Russia—contrives to send across the sea every year thousands of people to feed the Moloch in sweatshop, mill and mine. This readiness in foreign quarters to supply the American market with so many "hands" is greatly

to be deplored. I for one hope the day is not far distant when they will realize that it is better for them to keep at home both their Jewish and non-Christian "hands." We are facing a stupendous difficulty in the problem of immigration. But this vast stream of immigration of cheap labor will decrease—must be exhausted; and we shall then have to face the question: "Where will the men and women come from if we exhaust our children and despoil them of their divine right to future vigorous manhood and womanhood?"

As the speakers before me have quoted words of Him who certainly spoke truth out of the fullness of a loving heart, in accents that have but rarely failed to touch the souls of those who strive for right and justice, I may perhaps be pardoned in bringing my words to a close with a parable from His teachers, the rabbis of old.

In the Talmud we are told that when Moses was to receive the Law from God for his people, the Almighty demanded hostage. Moses offered first the patriarchs, saying: "We are descendants of Isaac and Abraham, are we not worthy of the Law Divine?" But the Almighty refused to receive from them hostage. Then Moses offered the prophets, saying: "We have certainly produced great men. Are we not worthy of the Law Divine?" But the Almighty rejected these, also, as insufficient security. Then Moses presented the children of his people, and thereupon God granted him the Law.

The sense of this parable is plain. No nation can live on its past. The crown of America is certainly studded with precious gems—the great deeds and the great valor of the generations that were, whose children we are. But the past is not sufficient. No nation can live on the past alone, nor on its illustrious patriots, though its great men are proofs of its vitality. And America has produced great men, men of great thoughts, of deep purposes, who sang and spoke in tones that might stir the world to its best. But the nation that has produced these great men certainly must not construe this production into a right now to forget its duty to humanity. The nation which loves children and allows its children to grow up as children should, with minds trained, souls purified, and bodies kept in vigor—children that are protected in their childhood—under their parents' authority and made to know what respect and obedience imply, that nation receives from God the Law of Life: that nation will endure.



## THE SCHOOL AS A FORCE ARRAYED AGAINST CHILD LABOR

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BY JAMES H. KIRKLAND,

Chancellor of Vanderbilt University, Nashville, Tenn.

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The list of the social forces that are arrayed against child labor, as presented on the program of the annual meeting of the National Child Labor Committee seems so overwhelming as to lead us to suppose that the duration of this evil must be but brief. Yet, when we remember the universality of greed, the persistence of poverty, and the helplessness of childhood, we realize that this fight will not be so speedily won and that we have need of every force that can be utilized for the conflict.

If ever we, as Americans, lose enthusiasm with regard to the form of our government and its administration, it is when we see the slowness of the steps by which educational and moral reforms are secured, the difficulties in the way of securing legislation that has the universal approval of men of thought, and when we further consider the unsatisfactory administration of such laws as have been enacted. It is impossible, under our form of government, to secure by one enactment such legislation as seems necessary for the protection of our children. As the chairman of our meeting has indicated, it is not our hope to secure federal legislation on this matter; we realize that we must plead our cause not before one tribunal, but before half a hundred. In Germany it was possible for Bismarck to bring together the distracted units of Germany; one Cavour made possible a united Italy; but in America we must rally a multitude of leaders before we can bring about a reform of any kind. We therefore appeal to public opinion. We are organized to influence public opinion; we desire to present our claims to the thoughtful men and women of this country, and through them we hope to secure in every state such legislation as we believe necessary.

Within past years we have traveled far in our ideas of the state. We no longer believe that government to be best that governs least. We no longer believe in the state whose seal of authority is the badge of the policeman, whose temples are its jails and penitentiaries, whose sole duties are to protect life and property, and secure the enforcement of the commandments, "Thou shalt not kill" and "Thou shalt not steal." We realize that a government has no higher duty, at certain times, than the preservation of its own existence by whatever force may be necessary to make secure that existence; but we believe it is the duty of the state to guard its higher life as well as its lower life, and that, in guarding its higher life, there are some things better than armies and navies, and that school-houses and churches and books are no less necessary instrumentalities for national existence than gunpowder and dynamite. Representing, therefore, the school, we represent our nation and the country's government—for the school is the state, after all, in its parental capacity. We believe in popular education, in universal education. We do not claim that this is a panacea for all ills or a remedy for all wrongs. We do not expect to see all men made wise, or just, or good. We realize that with the best we can do there will be some failures in life. On every sea some barks must go down. But we take the position that an opportunity must be given to everyone, and that every child must have the privilege of working out his own life, of developing the best that is in him—and therefore we believe that every child must have the chance of an education. We are opposed to child labor because it shuts out that opportunity, and makes education impossible.

Therefore no legislation on this subject can be satisfactory if it ignores the educational requirements of the child. The demand for an age limit in child labor is justified by hygienic laws, but a deeper philosophy lies underneath such enactments. Our problem is not merely to keep the child under sixteen out of the factory or mine, but to keep the child at work in school. The factory is better than the slums; it may be that the factory is a better place than the home, but it is never better than the school; and it is just where parental obligation has failed, just where the home has disappeared from the life of the child, that the school must step in as another home and the teacher must take the place of the parent who has deserted his charge. The school must provide for that child a new

opportunity, a new life. It is by no means sufficient to have an enactment saying the child must be able to read and write before being allowed to go to work in the factory or mine. It is not unnatural for such a child, after he has gone to work, to forget all that he has learned and to drift back into the class of hopelessly illiterate. Reading and writing is a very small requirement, when it stands as an educational test between childhood that must be protected and manhood that should look after itself; and yet, in every state in the Union, I suppose, there are children at work under the age of sixteen who can neither read nor write.

The United States Department of Commerce and Labor last year issued a bulletin making a special study of 1,381 children at work in thirteen different states. In ten out of these thirteen states there were found children at work who were unable to read and write. Mind you, taking only that small group of states,—and they were not selected especially to hunt illiteracy,—in ten of them there were found children that were wholly illiterate—and New York was one of them. Examining the statistics further to see whether there were children at work who had never been to school, it was found that there were some, likewise in ten out of the thirteen states, who had never been to school before entering upon work; while there were also a number of children who had attended for only one or two years. I must acknowledge with regret that of the states whose record was shown up in that examination four of the thirteen belonged to the South, viz.: North Carolina, South Carolina, Georgia and Alabama. There were 341 children that fell to those four Southern States. Of that number 146 were wholly illiterate, 57 had never attended school, while 198 others had attended for less than three years. That means only about fifteen months of school attendance in all, for the average term in these states is only about half an ordinary school year. It is unnecessary to remind you that a child can learn but little at school in one year of five months. It takes a good many of those terms to give enough information to become a permanent asset, a permanent part of the child's character. The little knowledge gained in that short time at school passes away in a few years after the child has left the school, and such children are destined to be entirely illiterate after spending a few years at work in the factory.

But the Southerners are not sinners above all. Let me remind



you of one of our pamphlets containing information obtained by the Pennsylvania Child Labor Committee, which shows that in the city of Philadelphia alone there are 16,000 children under the age of thirteen who are not in school, although the law says they shall be there. These children are at home waiting until they are old enough to secure work, or at work with certificates that are falsified, or perhaps, even, without certificates.

From the standpoint of the school we urge three contentions in our consideration of this subject:

I. We contend that there should be always a definite educational requirement in every child labor law. The mere establishment of an age limit is insufficient, and the requirement that the child shall be able to read and write is pitifully small. A law requiring that the child shall attend some school while at work is some improvement, but is open also to very serious objection, and in practical operation is seldom found satisfactory. A child cannot work in a factory six or eight hours a day and do intellectual work at night; and a law permitting children to work during the vacation period puts a premium on long vacations and short school terms.

II. The second principle for which we contend is that those who are interested in the education of the child shall have some voice in the execution of the law that guards that education. The making out of certificates should not be placed in the hands of notaries who are to get their fees for this operation, nor should such certificates be made out on the unsupported affidavit of parents, who may be unscrupulous in their desire to secure gain from the child's labor; but the responsibility should be placed in the hands of the men and women who are interested in the child and in its education.

III. The third point I would make is a plea for better schools and more of them. I speak on that point as a Southern man. Of all our problems, that is the problem that is most far-reaching.

We have another problem called peculiarly the Southern problem, but in my opinion the race question is not so universal a problem nor so serious a menace to our general prosperity as is the distressing fact of illiteracy and our insufficient educational opportunities. There are many living in the South who know little of any race problem through personal experience. There are many communities where peace and good will reigns and the two races are living side by side working out their tasks with mutual sympathy, for-

bearance, and friendship. But there is no State in the South, no community that is not struggling with the problem of providing better educational facilities.

We of the South are grateful for the co-operation and sympathy that has been extended to us by other sections in working out this problem. In such a task men are brought close together. The bitterness of former differences will be most quickly forgotten by those working together in a great and holy enterprise. The founder of the institution with which I am connected—himself a citizen of this city—in writing about its mission used these significant words:

“If Vanderbilt University shall, through its influence, contribute, even in a small degree, to strengthening the ties which should exist between all geographical sections of our common country, I shall feel that it has accomplished one of the objects that led me to take an interest in it.”

In that feeling of common interest and in that spirit of sacred enterprise all sections of our country must unite to promote the work of education and to repress the evils of child labor. This is a task neither for sect nor section. The cause of childhood is the cause of humanity. We lay, therefore, on the nation's heart the burden of American childhood,—ignorant and helpless to-day, but of infinite possibilities for to-morrow.

## II. Proceedings of the Annual Meeting of the National Child Labor Committee

Held in the City of New York February 14-16, 1905





# PROCEEDINGS OF THE ANNUAL MEETING OF THE NATIONAL CHILD LABOR COMMITTEE

*Held in the City of New York, February 14-16, 1905.*

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BY SAMUEL McCUNE LINDSAY, PH. D., Professor of Sociology in the University of Pennsylvania and Secretary of the National Child Labor Committee.

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The National Child Labor Committee was organized in New York City April 15, 1904, as the outcome of a well-considered effort to nationalize the anti-child labor movement on the part of the late William H. Baldwin, Jr., Edgar Gardner Murphy, Felix Adler and Mrs Florence Kelley, all of whom had been active in work of a similar character along state and local lines. Mr. Murphy had secured some legislation after a long and difficult struggle in the state of Alabama, and in the course of that struggle had become convinced that the problem was a national one rather than a state or sectional question. The persons referred to invited a number of representative citizens from different parts of the country to unite with them in the formation of a National Committee, with headquarters in New York City. The committee, therefore, is a self-constituted and self-perpetuating body, and up to the present time an unincorporated society, whose program is partially embodied in the following official statement of objects:

## *Objects.*

To promote the welfare of society, with respect to the employment of children in gainful occupations.

To investigate and report the facts concerning child labor.

To raise the standard of public opinion and parental responsibility with respect to the employment of children.

To assist in protecting children by suitable legislation against premature or otherwise injurious employment, and thus to aid in securing for them an opportunity for elementary education and

physical development sufficient for the demands of citizenship and the requirements of industrial efficiency.

To aid in promoting the enforcement of laws relating to child labor.

To co-ordinate, unify and supplement the work of state or local child labor committees, and encourage the formation of such committees where they do not exist.

The committee at the present time is composed of the following members:

MISS JANE ADDAMS, Hull House, Chicago, Ill.

FELIX ADLER, New York City. Leader of the Society for Ethical Culture; Professor of Political and Social Ethics, Columbia University.

REV. JOHN G. ANDERSON, Tampa, Fla.

REV. NEAL L. ANDERSON, Montgomery, Ala. Member of Alabama Child Labor Committee.

MRS. EMMONS BLAINE, Chicago, Ill. Member of Chicago City Homes Association.

JOHN GRAHAM BROOKS, Cambridge, Mass. President of American Social Science Association and of National Consumers' League.

A. J. CASSATT, Haverford, Pa. President of the Pennsylvania Railroad.

EDGAR E. CLARK, Cedar Rapids, Iowa. Grand Chief Conductor, Order of Railway Conductors of America; member of the National Anthracite Coal Commission.

HON. GROVER CLEVELAND, Princeton, N. J. Ex-President of the United States.

HON. ROBERT W. DE FOREST, New York City. President Charity Organization Society of the City of New York; Chairman New York State Tenement House Commission of 1900; First Tenement House Commissioner of the City of New York, 1902-03; Vice-President Central Railroad of New Jersey; Attorney-at-Law.

EDWARD T. DEVINE, New York City. General Secretary, Charity Organization Society of the City of New York; editor of *Charities*, and director New York School of Philanthropy; Professor of Social Work in Columbia University.

MRS. SARAH S. PLATT DECKER, Denver, Col. President General Federation of Women's Clubs.

CHARLES W. ELIOT, Cambridge, Mass. President, Harvard University.

ARTHUR F. ESTABROOK, Boston, Mass. Banker.

HON. N. B. FEAGIN, Birmingham, Ala. Judge in the City Court; Leader in Penal and Humanitarian Reform.

HON. HOMER FOLKS, New York City. Secretary State Charities Aid Association; formerly Commissioner of Public Charities of New York City.

HUGH F. FOX, Plainfield, N. J. President New Jersey Children's Protective Alliance.



- EDWARD W. FROST, Milwaukee, Wis. Attorney-at-law; President Children's Betterment League.
- HIS EMINENCE JAMES CARDINAL GIBBONS, Baltimore, Md.
- RT. REV. DAVID H. GREER, New York City. Bishop Coadjutor, Episcopal Diocese of New York.
- HON. J. B. GASTON, Montgomery, Ala. Member of Alabama Child Labor Committee.
- WILLIAM E. HARMON, New York City. Real Estate broker.
- HON. CLARK HOWELL, Atlanta, Ga. Editor of *Atlanta Constitution*.
- ROBERT HUNTER, New York City. Chairman, New York Child Labor Committee.
- JOHN S. HUYLER, New York City. President of Huyler's.
- MRS. FLORENCE KELLEY, New York City. Secretary of National Consumers' League.
- JAMES H. KIRKLAND, Nashville, Tenn. Chancellor of Vanderbilt University.
- HON. BEN B. LINDSEY, Denver, Col. Judge of Juvenile Court.
- STANLEY McCORMICK, Chicago, Ill. Comptroller, International Harvester Co.
- V. EVERIT MACY, New York City. Treasurer, People's Institute; Member of the University Settlement Society; Trustee of Teachers' College.
- HON. BEVERLEY B. MUMFORD, Richmond, Va. State Senator.
- EDGAR GARDNER MURPHY, New York City. Secretary Southern Education Board; Chairman, Alabama Child Labor Committee.
- ADOLPH S. OCHS, New York City. Publisher of *New York Times*, *Philadelphia Public Ledger* and *Chattanooga Times*.
- GIFFORD PINCHOT, Washington, D.C. Forester, U. S. Department of Agriculture.
- ISAAC N. SELIGMAN, New York City. Banker.
- HON. HOKE SMITH, Atlanta, Ga. Attorney-at-law; Ex-Secretary of Interior.
- SAMUEL SPENCER, New York. President Southern Railway.
- J. W. SULLIVAN, New York City. Typographical Union.
- GRAHAM TAYLOR, Chicago, Ill. Warden, Chicago Commons; Editor, *The Commons*.
- HON. BENJAMIN R. TILLMAN, Trenton, S. C. United States Senator.
- PAUL M. WARBURG, New York City. Banker.
- MISS LILLIAN D. WALD, New York City. Founder and head worker Henry Street Settlement (Nurses' Settlement).
- TALCOTT WILLIAMS, Philadelphia, Pa.
- REV. C. B. WILMER, Atlanta, Ga. Secretary, Georgia Child Labor Committee.
- JOHN W. WOOD, New York City. Corresponding Secretary, Domestic and Foreign Missionary Society of the Episcopal Church.

Some time was necessary to perfect the plans for organization. Executive officers were not elected and headquarters opened until July 19, 1904, and effective work was actually begun in September, 1904. It was felt, however, that the wide scope of the work before the committee required the early assembling of the entire committee in New York city, and in connection with such a meeting it

was determined to hold the first annual meeting and to make this the occasion for a general survey of the field of work upon which the committee had entered. The program arranged for the three sessions was as follows:

*First Session.*

Tuesday, February 14, 8 p. m., Assembly Hall, United Charities Building, Fourth Avenue and Twenty-second Street.

Presiding officer, Dr. Felix Adler, chairman of the National Child Labor Committee.

General Topic: "The Forces Arrayed Against Child Labor and their Better Utilization."

1. Letters read from Cardinal Gibbons and others.
2. Opening remarks by the presiding officer.
3. "The Church," Right Rev. William N. McVickar, D. D., Bishop of Rhode Island.
4. "The School," James H. Kirkland, Chancellor, Vanderbilt University, Nashville, Tenn.
5. "Organized Labor," Edgar E. Clark, Grand Chief Conductor of the Order of Railway Conductors, Cedar Rapids, Ia.
6. "Employers of Labor," Rev. Dr. Emil G. Hirsch, Professor of Rabbinical Literature in the University of Chicago, Chicago, Ill.
7. Concluding remarks by the chairman.

*Second Session.*

Wednesday, February 15, 3 p. m., Assembly Hall, United Charities Building.

Presiding officer, Homer Folks, vice-chairman of the National Child Labor Committee.

General topic: "Review of Legislation on Child Labor, Methods of Enforcement and Present Problems in the Several States and Territories."

1. Opening remarks by the presiding officer.
2. "The Test of Effective Legislation," Owen R. Lovejoy, assistant secretary of the National Committee.
3. "Legislation and Methods in the Western States," Judge Ben B. Lindsey, Juvenile Court, Denver, Col.
4. "Legislation and Methods in the Northern Central States," Hon. Halford Erickson, Commissioner of Labor, Wisconsin.
5. "Legislation and Methods in the New England and Middle-

States," Mrs. Florence Kelley, secretary of National Consumers' League.

6. "Legislation and Methods in the Southern States," Rev. Neal L. Anderson, Montgomery, Ala.

7. "Some Physiological Reasons Why the Premature Employment of Children Under Modern Industrial Conditions is a Menace to the Race," Dr. L. Emmett Holt, New York City.

8. "The Work of Women's Clubs in Securing Child Labor Legislation," Mrs. A. O. Granger, Cartersville, Ga., chairman, Child Labor Committee, General Federation of Women's Clubs.

9. "What the State Owes the Child," Samuel McCune Lindsay, secretary of the National Committee.

*Third Session.*

Thursday, February 16, 8 p. m., Cooper Union, Fourth Avenue and Eighth Street.

Presiding officer, Dr. Felix Adler, chairman of the National Committee.

General topic: "The Need of Protective Legislation for Working Children."

1. "The Evils of Child Labor," Felix Adler, chairman of the National Committee.

2. "The Child Labor Situation in Southern Industry," A. J. McKelway, Charlotte, N. C., assistant secretary of the National Committee.

3. "Child Labor Legislation, a Requisite for Industrial Efficiency," Jane Addams, Hull House, Chicago.

This program was carried out almost to the letter. Unfortunately Dr. Felix Adler, the chairman of the committee, was prevented from being present, and the first meeting was opened by remarks from the secretary, who took the chair and spoke in part as follows:

LADIES AND GENTLEMEN: It is a very serious responsibility that has fallen to the lot of the secretary of the committee in taking the chair at the opening of the first annual meeting of our National Committee, and I am sure it is a source of great regret to us all, as it is to the chairman himself, that Dr. Adler cannot be with us. He is confined to the house through illness, and I know that his disappointment is doubly great because he has looked forward with so



much enthusiasm and interest to this meeting. All of you know Dr. Adler personally, and know what moral earnestness he puts into any work he undertakes. We cannot overestimate the rare skill and the great enthusiasm he brings to our cause. You will understand how carefully he has planned and with what thought he has worked to make successful this, our first annual gathering in order to push forward the great work which our committee has undertaken. I am very sure that I cannot in any sense undertake to fill his place on this occasion; but I can, perhaps, take the program as outlined here and present to you the list of the speakers.

The assistant secretary, Mr. Lovejoy, will read a few of the letters which we have received within the past few days from prominent persons in all parts of the country, indicating the widespread support and intense interest which is being given to the child labor discussion. There are special reasons why we should take time on this program to read a few from among many such letters, and I will ask Mr. Lovejoy to read one from Cardinal Gibbons, one from Mr. Edgar E. Clark, the Grand Chief Conductor of the Order of Railway Conductors of America; a telegram from the Chief Factory Inspector of Pennsylvania, Captain Delaney; and another from a prominent lawyer.

MR. LOVEJOY:

*Secretary's Office, Cardinal's Residence, 408 Charles Street.*  
BALTIMORE, Md., February 12, 1905.

MR. SAMUEL McCUNE LINDSAY.

*Dear Sir:* I regret that I cannot attend the annual meeting of the National Child Labor Committee in New York next Tuesday night. I shall then be on my way to keep an engagement in Cincinnati.

I beg to assure you, however, that I am in accord with the purposes of this meeting. I shall be glad to endorse any adequate and just means that you may see fit to adopt to prevent the employment of children at an age when they need the home and school for their proper development physically, socially and morally.

If some course can be adopted whereby the fathers of large families may be enabled to provide for the wants of their growing children without feeling the necessity of turning their little ones into the shops as bread-winners, I think a good step will have been taken to prepare the way for laws prohibitive of child labor.

Wishing you all success in your deliberations, I beg to remain

Faithfully yours,

(Signed) J. CARDINAL GIBBONS.

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*Order of Railway Conductors of America.*

CEDAR RAPIDS, Ia., Feb. 10, 1905.

SAMUEL M. LINDSAY, Secretary National Child Labor Committee, 105 East Twenty-second Street, New York City.

*Dear Sir:* Confirming my telegram of even date herewith, I regret to be obliged to say that imperative business matters render it impossible for me to attend your meetings of the 14th, 15th and 16th and the dinner on the evening of February 15th, to which I have been kindly invited. I regret my inability to be present. I should be deeply interested in the discussions which will be presented on this all-important subject. I hail with delight the organization of this National Committee because I believe that it is the right step in the direction of methodical and effective work. Much has been done in a sort of spasmodic way. Organized labor, wherever it has got on its feet with sufficient security to permit of its giving thought to any subject aside from its own immediate struggle for existence, has raised its voice in opposition to child labor. This is not, as some charge, indicative of selfishness or desire to promote self-interest on the part of the working men. Organization among working men is a cropping out of that hope for better things which is ever present and is evidence of a desire on the part of working men to see their loved ones enjoy the fullest possible and a reasonable measure of the comforts of life, and their interest in the subject of child labor is a reflection of their desire to have their children, in turn, enjoy better conditions of health and life and work than they enjoy themselves.

Child labor, as practiced in many places, especially where the largest numbers of children are employed, is the mortgaging beyond redemption of the health and the moral and physical welfare of generations yet unborn. I look for far-reaching and great good to come from this organized and systematized effort to reasonably regulate the employment of children, and shall be glad at all times to do what little may be within my power to do to assist in that work.

Yours very truly,

(Signed) EDGAR E. CLARK, *Grand Chief Conductor.*

HARRISBURG, Pa., February 14, 1905.

DR. FELIX ADLER, Assembly Hall, United Charities Building, Fourth Avenue and Twenty-second Street, New York.

Regret my inability to be with you to-night. Am pressing for new legislation before the present legislature, which, if passed, will enable this department to more rapidly improve conditions of working children. In two years we have dismissed from factories and workshops and sent to the schools nearly four thousand children. Our whole heart is enlisted in the cause, and we will, if spared, place Pennsylvania at head of column of states against the cruel evil of child labor. Your own splendid work is aiding us greatly. God bless you for it.

J. C. DELANEY, *Chief Factory Inspector.*

*J. H. Ralston, F. L. Siddons, H. T. Newcomb.*

*Ralston & Siddons,  
Attorneys and Counsellors at Law.*

WASHINGTON, D. C., February 13, 1905.

DR. SAMUEL McCUNE LINDSAY, Secretary National Child Labor Committee,  
105 East Twenty-second Street, New York City.

*My Dear Mr. Lindsay:* I have just received an invitation to attend the first annual meeting of the National Child Labor Committee, and do not wish to let it go without saying that if my engagements here were not quite imperative I should attend the meeting. There is no exercise of the police power of government which seems to me so necessary as that which would protect young children against the invasion of their rights of development, which is certain in any industrial community which does not forbid their working for wages and command school attendance.

With sincere regards, I remain

Very sincerely yours,

(Signed) H. T. NEWCOMB.

THE CHAIRMAN: The last letter to which we have listened has for me a peculiar interest because it comes from an able writer and well-known authority on transportation and railroad problems, one who has given expert service to the government, is a trained economist, and I think I may add, a democrat of the old school, who looks with apprehension upon any extension of governmental activity and even upon undue exercise of the police power of government. Please note that he says: "There is no exercise of the police power of government which seems to me so necessary as that which would protect young children against the invasion of their rights of development."

The National Child Labor Committee has been organized but a very short time. The meeting for the purpose of organization was held in New York City last April, and several months elapsed before an executive office could be established and the machinery for practical work set in motion. Therefore we have been at work practically only three or four months, gathering data from all parts of the country, collecting literature and information concerning the laws, the economic and industrial conditions together with the sentiment prevailing in the different communities with respect to the protection of children.

The National Committee stands sponsor for the interest of 29,000,000 children—there being that many under sixteen years of age in the United States,—all in need of protection for their proper



development, educationally, industrially, morally and physically. The committee, in a measure, stands for those progressive movements which undertake to look after and voice the interests of this great part of our population. The committee was not organized with the intention of supplanting or taking the place of the local efforts made in the various parts of the country to do this work, but rather to co-operate with and to strengthen the hands of the bodies organized for this work, or those making this a special feature of the work of their organization. Women's clubs throughout the country have taken this matter up through various organizations and through their national organization; and the head of the General Federation of Women's Clubs, Mrs. Sarah S. Platt Decker, of Denver, a member of the National Committee, expected to be here at this meeting, but was unavoidably detained at the last moment. The Consumers' Leagues have undertaken this as a definite part of their work; in fact, it was through their efforts that marked interest in this cause was aroused throughout the country; and the National Consumers' League, the efficient secretary of which, Mrs. Florence Kelley, a member of this committee, has done a very great deal toward making our work practical. Our committee has not been organized to take the place of any other existing committee or any other organizations established for securing more adequate laws or better enforcement of existing legislation; nor was it organized for the purpose of securing national legislation, for we are far removed from the point where we can deal with this matter legislatively in a national way. Our chief purpose is to develop a national sentiment for the protection of children and to make the power of public sentiment felt in all localities, to raise the standard gradually in the different communities, and to have a standard established where none exists at present; to meet industrial and economic conditions in this country in the way acknowledged as best by those who know those conditions best. Therefore, if we keep these two thoughts in mind, any reasonable opposition to the work of this committee may be met—and I am glad to say no such opposition has been expressed. On the contrary, on all sides, from all parts of the country we have been favored with the most enthusiastic endorsement of our work. That it will be an arduous work, requiring time, patience and skill, we shall realize more and more at this meeting as the representatives of the various

factors arrayed against the evils of child labor tell us about the conditions existing in their particular fields.

The first speaker on the program to-night comes from a state not selected for its size nor yet for the particularly high standard which it maintains in the matter of child labor legislation. However, I am glad to say that powerful influences are at work in that state—and of these influences the speaker at this meeting is a leader—to introduce a higher standard. A bill is now pending before the legislature which we hope will succeed in placing Rhode Island on a par with the best legislation in this matter in New England, if not in the country. While our speaker was not chosen because of the size of the state which he represents, we did not choose a small man. We chose a man whose mind is as large as his body and whose heart is larger than both, and whose voice is raised in every good cause that makes for righteousness, fair dealing, and earnest endeavor—a man who needs no introduction to this audience, and I have great pleasure in presenting Bishop McVickar, who will now address us on the subject of “The Church and Child Labor.”

BISHOP McVICKAR:

Rhode Island is not the largest state in the Union, but as in the past Rhode Island has its part to play, and it has always played its part well in all the great struggles through which our country has passed. It holds to its tradition.

I am glad to be here with you to-night, for although I feel the responsibility, I hail the opportunity of representing God's Church as well as Rhode Island in the matter which we have in hand. And I am glad that the Church should be placed in the very forefront, as the follower of Him who once called a little child unto Him and set him in the midst of His disciples, bidding them remember that whoso should offend one of these little ones, it were better for him that a millstone were hanged about his neck and that he were drowned in the depth of the sea. And since that day the Church has stood in the very front rank in defense of childhood, as of all other dependent ones. And I am glad therefore that the Church should be associated, as it is on this program, with all other noble forces for good; and, first of all, side by side with the school. The great function of the Church, as set forth by its Master, was a teach-

ing function. It was sent to teach—to teach the fundamental principles of right and truth. And I cannot forget that through all those long ages, when darkness seemed to threaten the world, that it was under the protection of the Church that learning as well as right and truth found their home.

I am glad, too, to be associated with organized labor, and only wish that my brother, who is on the program to represent that body, were here to-night, instead of absent. I should like to thank him personally for the part that organized labor has taken against this great evil. Only the other day, when some of us in Rhode Island appeared before the committee of our legislature, to plead for the passage of a bill for the better protection of little children from oppressive labor, one of the noblest pleas, one of the most forcible ones, was made in the name of organized labor by a man who was its true representative.

I am glad, too, to be associated also with one who stands here to-night to represent the employer. We have no quarrel with any class; we have no quarrel with labor; we have no quarrel with capital. It is to the interest of labor that the character of its employment should be raised and its morale be heightened, and it is to the interests of capital that the best sort of labor should be kept in the market and on a high level. We have no trouble with any class, nor with any individual except the one who represents the meanest and most short-sighted greed—for it comes to that at last, and I never realized this more completely than when I listened and heard the various pleas for and against improved legislation for the protection of our children in Rhode Island; and I realized for my brothers who came to speak against the law that we were urging, that they did it with shamed faces, and that in the last analysis even they felt that it was essentially the dollar against childhood.

I shall never forget the first time this problem presented itself to me. I went to visit a mill village in my diocese and there stood up before me a class for "confirmation." As I looked at them it seemed to me that they were very small; rather young for the rite. After the services, when I was with the minister and his family in his own home, I said to him: "Weren't those very young children to be presented?"

He replied: "They were not young. Why do you think so?"

"They looked so small and puny."



Said he: "Ah, but that is not because they are so young, but because they have not had a chance to grow."

And then the wife went on to say that she was the teacher of a Sunday-school class of boys and girls, and among them were those fourteen and fifteen years old who could not read or write, and she added, "how can it be expected that they should?" And then she told me how, in that village, in the early morning, before daylight, the whole family in the house would be up, and after a hasty meal, father, mother, children, each and all of them, would go to the mill and were there until the evening. Then, in order to conform to the requirements of law, as to the education of children, an evening school was conducted where, for two hours, these little children, tired and fagged in mind and body, were gathered and the absurd pretense was made of teaching them something, when their brains were in no condition to take anything in. Then it seemed to me the problem stood before me in all its horrors. I realized the truth of the tales and descriptions that I had heard of the factory system, of the mills and mines, where little children, made to work through the long, weary hours, day or night, soon became haggard, stunted and deformed, and caricatures of age, before they had more than tasted of childhood; old and wasted when they should be fresh with the dews of childhood. It seemed to me, too, that the picture could not be painted in color or form too darkly or too abhorrently. That picture, in all its hideousness, is not to be taken alone from Rhode Island. Rhode Island, while not foremost in its legislation for the protection of children, does not stand entirely in the rear in this matter; and when I speak of Rhode Island, it is simply to illustrate, what in some other places may be found in more aggravated form. Rhode Island has her faults, but she has her virtues, too, and she has her conscience; and her conscience is thoroughly stirred to-day, and we shall hear within the next week of her improved child labor legislation in response to her recently awakened sensibility. She has her problems to meet, but she is going to meet them as she has met her problems in the past. I don't want anybody here, least of all the reporters, to say that I have held up Rhode Island to scorn. Not the largest in extent of territory among the states, she still has a noble history and she will ever be fulfilling that history.

And now, in conclusion, let me say again, that the Church takes her place and raises her voice in this great campaign. The Church

has been misunderstood at times. She has been thought to lag in public movements, when people have tried to gain her influence for some specific cause, and she has refused to come down into the arena of party strife. But we all know that she ever stands for the cause of righteousness; nor only that, but she stands for that "Philanthropy Divine" of which the poet has spoken, which extends its interest over all humanity, and most certainly so in her care of the weak, and of those least able to care for themselves.

The Church does one other thing. She sends into the world men and women, well equipped and inspired with the highest ideals, to do her work in every department of life,—to be better men and women, in business and society, better citizens in the state. That is what the Church does, and I am thankful to say that the Church can be depended upon for that. And it is to Christian citizenship that the matter of child labor makes a strong appeal. What is to become of the state if its future citizens are allowed to be stunted and contorted by unhallowed use, and forced to grow up stupid and illiterate? It has been said by a wise writer that the experiment of democratic government is still in its early stages. Our land has passed through many crises, and God grant that it may pass triumphantly through the crises which still confront it as those of the past! But if the republic is to continue to exist, and to go on and develop, and become all that it is intended to become, its citizenship must be of the highest order. Those from other lands, under different rules, must be enlightened. Our citizenship must be educated, its morale must be high. To-day, the problem that menaces this country—one of its greatest—is as to its ability to assimilate the vast tide of immigration which is inundating our shores unparalleled in all history, whether America can assimilate that great mass, strongly tinged as it is with ignorance. Shall that ignorance be only added to and darkened by the coming home-born generation?

My friends, I congratulate you upon the wave of awakened feeling which is passing over this country at the present time, awakened only within the last few years, scarcely more, and of which this and like meetings are an abundant indication.

THE CHAIRMAN: I am sure that we all, and particularly those who are connected with the work of our National Committee, realize the necessity of having the moral forces of the community back of

any great movement. What Bishop McVickar has said of this work has been said also by representatives of other branches of the church—Protestant and Catholic and Jewish.

But there is an institution in society to which the obligation to protect childhood has been given over in a special sense—the school, which stands sponsor for the education of the child in all its various departments, from the kindergarten to the university. I think we are especially favored to-night in having for the representative of that institution one who has stood for years as the leader of the higher educational thought of the South, who is in thorough sympathy and accord with the best life and best thought of the South; and I am glad to say that he has consented to come so far to speak to us to-night on the topic of "The School as a Force Arrayed Against the Evils of Child Labor." [Dr. Kirkland's address appears in full in this volume of proceedings.]

We have already heard from organized labor in the letter that Mr. Clark has sent to us, expressing his regret at his inability to be here to-night. I do not think there has been a single discordant note in the reports that have come from organized labor in all parts of the country and in their agreement in their position with respect to the evils of child labor. President Gompers has written very strongly on this subject, representing the American Federation of Labor; John Mitchell, president of the United Mine Workers, has written on several occasions in connection with the work of our committee, endorsing every feature of its propaganda.

In addition to the letter received from Mr. E. E. Clark, which was read at the meeting, Mr. Clark has sent a communication to the committee which he would have presented had he been able to be present and take part personally in the program. His communication on the subject of "The Restriction of Child Labor" sets forth briefly and forcibly the position of organized labor, and is as follows:

The first instance in which any important number of working-men acted in unison in opposition to wishes or edicts of an employer probably had nothing behind it except a desire and determination to secure relief from some condition which laid upon them a burden that had become intolerable. That such unity of action could be used offensively as well as defensively was not thought of at that



time. The children of Israel, acting in unison, refused longer to make bricks without straw and when Pharaoh provided them with the straw they meekly returned to their work.

Out of such a beginning grew the idea of organized effort among workers to not only defend themselves against oppression but to secure advantages which had been dreamed of by the individual but had been looked upon as impossible of attainment.

The next step in the progress of the movement was a realization on part of the more thoughtful ones of the fact that, in addition to the work of combatting injustice and striving for better conditions for the present day, it was possible to accomplish much of good for the morrow and the days which are to follow the morrow. And so, organized labor has ranged itself alongside of every effort to improve permanently the conditions under which those who earn their bread in the sweat of the brow perform, and are to perform, their labor.

Mistakes have been made by and in the name of organized labor. The same is true of every element or feature that enters, or has entered, into the civilization of the human race, not excepting the Christian religion, but, on the whole, organized labor has contributed in no small degree to the higher standard of civilization which now obtains, and it is steadily increasing its influence for good in direct ratio with its growing intelligence and its intensifying desire to build for the welfare of those that are to come after.

Organized labor has not been impelled by a selfishness of the day and hour when it has sought to have the greatest possible degree of safety thrown around those engaged in hazardous employment; to have sanitary conditions succeed unsanitary ones; to prevent the employment of women at night work or in callings which, from their very nature are destructive of female health, and to prevent as far as is reasonably possible the employment of children in work and under conditions which of themselves cry abroad the heartlessness of commercialism in this day and age.

It is indeed a cheering sign to see an active and organized interest in the subject of child labor on part of men and women, who, having achieved success in their several fields of effort, are willing to give of their influence and their time to this humane and worthy cause. And I have no hesitation about pledging to that effort the most cordial support of organized labor and giving

assurance that the movement will be given all the impetus possible from that source. Organized labor has set its face and its efforts against child labor, and, having laid its hand on the plow, will not turn back.

The workingman, even though he may be uncouth and of rough exterior, feels in his heart the same impulses of love for helpmeet and offspring that are felt by the more polished and refined man of higher intellect or gentler calling. The American workingman has a strong desire to see his children enjoy advantages which he himself did not, and could not, have. He knows that the elements which must enter into a higher and better civilization are more intelligence, more education, higher morals and a more perfect physical development. He knows that none of these are to be attained or even hoped for by the child whose early and tender years are spent in grinding, exacting, wearying toil; whose joy of the present and hope of the future are lost in the never ceasing din and whirl of shop and factory; whose childhood knows none of childhood's happiness and whose prospects for a healthy manhood or womanhood are practically absent. The American workingman in his organized capacity opposes the employment of children during the years when their days should be spent in study and in healthful exercise and amusement out in God's sunlight.

It is a difficult thing to awaken a strong public sentiment on a subject which does not appeal to the patriotism of the people or which does not affect their immediate, individual interests. It is by far too common for people to look upon every effort as one calculated to advance the material welfare of someone, even though that someone cannot be found. Too often support and assistance for worthy causes are withheld or refused because it is erroneously believed that some ulterior motive is behind the movement. Organized labor alone in a crusade against child labor would be obliged to combat all the natural obstacles which must be met, and, in addition, would be charged with having no higher purpose than to secure the removal of children from employment in order that their places might be filled with grown people at higher rates of compensation. But those who are now lending their energies and their substance to this work cannot be charged with selfish motives or commercial purposes, and, in this work at least, the philanthropist, the economist, the employer, the sociologist and the trades unionist

can, and will, work to a common purpose and toward an end most devoutly to be wished for.

It might appear at first thought as though all energies should be first centered upon the localities and industries where child labor is most prevalent and where the conditions are the worst. Of course those are the places where there is greatest room for improvement, but what is needed is a rousing of the whole people. This is a subject which seems to be within the jurisdiction of the several states, each for itself. If one state should enact laws to put a stop to the employment of children in that state, there is every probability that the industries thus affected would transfer their operation to a neighboring state, and so long as there is the possibility of the industry being transferred across the state line, there to thrive as before, the willingness of state legislators to enact desired laws may be doubted. It, therefore, appears that in the states where the evil exists in the smaller degrees there is room for effective work. If laws are there enacted which would prevent such states from being used as a refuge by industries now employing large numbers of children, the probabilities of success in attacking the system through the legislatures in states where it is now strongly entrenched would be increased. There is practically no hope of better conditions except through legislation. Appeals to the humanity of those who employ children would fall on deaf ears. Organized labor, wherever found, may be depended upon to give cordial and earnest support to efforts to secure the desired, or the best possible, legislation.

That the employment of large numbers of children through long hours day after day and week after week has a blighting effect, morally and physically, upon the coming and on succeeding generations is apparent to the most superficial observer. No one but a degenerate can look upon this subject without feeling a stirring of the heart. The one who, having had his attention called to it, fails to express condemnation of it or withholds encouragement to every proper effort to overcome the evils which are inherent in the employment of children, in effect, though perhaps thoughtlessly, re-echoes the denial of responsibility for his brother's welfare.

THE CHAIRMAN: Another important factor in the forces arrayed against child labor is the employer himself. As Dr. Kirkland has said, first of all we hold responsible the school. Where we have



the school to guard the children properly we place them in its care, not letting them get beyond the pale of the school until they are fully prepared in their development for the responsibilities of life. Wherever there is proper parental responsibility we keep the child in that care until it is fitted for the physical obligations of modern industrial life. But, above all, we hold responsible the employer, and, I assure you, in the course of our work we meet all kinds of employers. Not long ago the owner of a large western factory, the employer of many people, took me through his plant. We came upon a little girl who, he said, earned \$7 a week at piece work. Bent over her machine, she was working as fast as her arms could move. On hearing our voices in passing, she looked up, and when I saw her flushed face already indicating physical disability I asked her employer: "How much will she earn five years hence if she continues at this work?" And the reply was: "I presume we shall have to have another girl in her place by that time." This is a type of the uneducated and the short-sighted employer.

Another employer said to one of our secretaries in the course of an investigation not long ago, pointing to a group of boys: "Look into the faces of these boys, and you can see that they are not fitted for anything else. You must be careful not to be too much of a providence to people who are born for another kind of existence. I shall oppose every effort that is made for improved child labor legislation in this state." This is an employer of another type—one who has neither education nor heart.

On the other hand, there is a large number of employers who take a different attitude. One of the largest employers of labor in the District of Columbia recently addressed a child labor committee in favor of supporting a bill fixing the age limit at fourteen, and in the course of his remarks he said: "I believe it is an outrage, with our present opportunities for education, to deprive a child of the opportunity to enjoy these opportunities. With our present business facilities I think it is also an outrage to put the burdens of industry on young children. I want none of them in my employ." With that sentence he stampeded the committee, and they were unanimously in favor of the bill.

There are, also, employers who take a larger economic view, and who realize that it is to their own interest to favor the giving of larger opportunities to the child. But they are rare. One em-

ployer in Pennsylvania, where there are now three bills for improved child labor legislation pending before the legislature, has said: "I do not want any children under sixteen years of age in my employ. I do not believe it pays to have children. It pays better to pay higher wages to adult workers and get the greater concentration of effort which adult labor can bring."

And because we meet with all kinds of employers we want to hear, in their language, the attitude which they assume in general in the fight we are waging against child labor, and we are glad to have with us to-night one who can present this subject so sympathetically from the employer's standpoint as Dr. Hirsch. [Dr. Hirsch's paper appears in full in this volume.]

The list of forces arrayed against child labor, or that may be arrayed against child labor, is by no means complete upon our program. There is one force, perhaps greater than any one of these, or even greater than them all, and that is the force of the great public at large, the great force of public sentiment, the force to which you and I—all of us here—may contribute.

I have sometimes felt, in looking over the list of those who have joined our committee from all parts of the country—representing all shades of political creed and religious faith, and the interests of the employer and the employed—that there could not be brought together a more remarkable array of busy and representative persons, who have been willing to give part of their time and thought to this great cause. I am much encouraged by the meeting to-night, for I appreciate that in the midst of the busy season in New York, with its many attractions, the presence of this large audience is significant of a wider public interest in this question of child labor than many of us dared to hope for. The thought which we all need to take home with us is: How can we translate these beautiful sentiments to which reference has been made here to-night into legislation and social work that will make child labor impossible in every part of the country. We must remove the evils of child labor by placing upon our statute books effective legislation and by seeing that such laws are respected and enforced.

The second session was opened by Mr. Isaac N. Seligman, who took the chair in the absence of the vice-chairman of the National Committee and who introduced the following speakers: Mr. Owen R. Lovejoy, Judge Ben B. Lindsey, Mrs. Florence Kelley, Rev.

Neal L. Anderson and Mrs. A. O. Granger. All of these addresses are printed in full in this volume, and in addition to them a paper by Hon. Halford Erickson, Commissioner of Labor of Wisconsin, on "Child Labor Legislation—Methods of Enforcement in the Northern Central States," and a paper by Mr. Hugh F. Fox, president of the Children's Protective Alliance of New Jersey, upon "The Operation of the New Child Labor Law in New Jersey." Mr. Fox's paper was contributed through the Department of Philanthropy, Charities and Social Problems of THE ANNALS of the American Academy of Political and Social Science, and included here as properly belonging with the subject matter of this meeting. Mr. Erickson's paper was one of those read by title. The papers of Dr. L. Emmet Holt, of New York City, on "Some Physiological Reasons why Premature Employment of Children under Modern Industrial Conditions is a Menace to the Race," and of the secretary, Dr. Samuel McCune Lindsay, on "What the State Owes the Child," were read by title and are reserved for future publication.

Both the first and second sessions were largely attended by representative audiences, which taxed the limits of the seating capacity of the assembly hall of the United Charities Building.

The third session of the annual meeting was perhaps the most interesting of all the sessions of the annual meeting. It took place in Cooper Union under the joint auspices of the National Child Labor Committee and the People's Institute. Approximately sixteen hundred people, made up of the rank and file of the thinking people among the working classes of the lower East Side of New York, with a sprinkling representation from all sections of the city, listened to inspiring addresses from the speakers on the program. Dr. Felix Adler, the chairman of the committee, was again detained by illness and the secretary acted as the presiding officer. Dr. McKelway spoke on "The Child Labor Situation in Southern Industry," and Miss Jane Addams, of Hull House, on "Child Labor Legislation as a Requisite for Industrial Efficiency." Both of these papers are printed in full in this volume of proceedings. In addition to these, brief addresses were made by Judge Lindsey, who spoke with much fervor upon "Positive Work for the Development of Youth in Social Virtues, Industry and Knowledge," and also by Hon. Edgar T. Davies, Chief Factory Inspector of the State of Illinois, who spoke of the work of the Department of Factory Inspection in the enforcement



of child labor legislation and who illustrated from results already obtained in Illinois what an active and efficient department of factory inspection may do to make such legislation effective.

The annual meeting of the National Child Labor Committee adjourned at the close of the session held in Cooper Union, its members feeling that the work before it constituted a large task which could not be completed in a single year, nor, indeed, in several years of persistent effort. But the general feeling also prevailed that the forces of the community had responded to the call for special effort in this direction in a way to encourage the belief that they were numerous enough and strong enough to cope with these great evils and to overcome both the greed of employers and the greed of parents, who are willing to sacrifice the interest of their children for the sake of personal gain. The advance already made in legislation setting up an American standard on this subject and in the enforcement of state legislation encourages us to believe that the day is not far distant when the true interests of the children within the state may be deemed paramount to every other consideration of commercial prosperity.

## BOOK DEPARTMENT

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### NOTES

Adams, T. S., and Sumner, Miss H. L. *Labor Problems*. Pp. xv, 579. Price, \$1.60. New York: The Macmillan Company, 1905.

The authors have aimed to furnish "a convenient collection of facts that will facilitate the study and teaching of the American labor problem." In this they have been very successful, and the book is admirably adapted for the purpose. It is written in a broad and sympathetic way, with every effort to state the facts fairly and clearly. Each chapter has a bibliography appended, making possible more extended studies. Although a text-book, much new material relative to the success of profit-sharing and co-operation is presented. By the use of thin paper the publishers have kept the volume in small compass.

The importance attached to this great social movement by thoughtful observers is reflected by the fact that the authors are connected with the University of Wisconsin; Dr. Adams being the assistant professor of Political Economy, while Miss Sumner holds an honorary fellowship in the same department.

It is not a history of organized labor alone, but comprehends such topics as child labor, immigration and other large phases of the subject. To those who would know the facts and catch the spirit of the labor movement, this book is heartily recommended.

Alden, Percy. *The Unemployed*. Pp. iv, 199. Price, 1s. London: P. S. King & Son, 1905.

This little monograph is very interesting and suggestive and deserves attention outside of England, though written primarily for English readers. The author advocates the establishment of a government department, compulsory labor bureaus, relief stations, a graded system of labor colonies, etc.

American Economic Association, *Papers and Proceedings of the Seventeenth Annual Meeting*. Part I. Pp. 226. Price (paper, \$1.00). New York: The Macmillan Company, 1905.

This volume treats of three subjects: Free Trade, Credit and Money, Open versus Closed Shop. These papers and discussions, particularly as regards the last topic, are of great interest and value.

Anemia in Porto Rico, *Report of the Commission for the Study and Treatment of*. Pp. 120, lxxi. San Juan: Bureau of Printing and Supplies, 1904.

No traveler in Porto Rico has failed to note the fearful ravages of anemia. It is a matter of congratulation that it has now been demonstrated beyond

dispute that the cause is not mal-nutrition, but due to the presence of a parasite. This admirable report indicates the possibility of overcoming the disease. The report is printed in both Spanish and English.

Ashley, W. J. *The Progress of the German Working Classes in the Last Quarter of a Century*. Pp. xiii, 164. Price, 1s. 1d., (60 cents.) London and New York: Longmans, Green & Co., 1904.

This little book is within easy reach of the class of people for whose use it was expressly written. Like the other writings of Professor Ashley, it is very readable. In brief, it is a collection of evidence as to the well-being of German working classes. A contrast of the living conditions of English workers with those in Germany, shows the former to be in a far poorer state than the latter. It is the intention of the author to show that protection has been by no means bad for Germany, for he thinks the working classes better off to-day than they were a generation ago, hence, by implication it ought to be a good thing for England. However, he does not commit himself to any definite policy, proceeding only to scholarly examination of evidence. The reader is thus left to draw his own conclusion as to which is the better, free trade or protection; and if he has followed the author even fairly well, he is rather sure to conclude that the latter is the better policy so far as the laboring class is concerned.

Ashmore, Sidney G. *The Classics and Modern Training*. Pp. vi, 159. Price, \$1.25. New York: G. P. Putnam's Sons, 1905.

The author, who is professor of Latin Language and Literature in Union University, pleads for the classics which he thinks are not receiving due attention at the present time.

Avery, Elroy McKendree. *A History of the United States and its People from the Earliest Records to the Present Time*. Vol. I. Pp. xxxii, 405. Price, \$6.25. Cleveland: The Burrows Brothers Company, 1904.

See "Book Reviews."

Bureau of American Ethnology. Twenty-second Annual Report. Part II. Pp. 372. Washington: Government Printing Office, 1904.

This volume contains an extremely valuable contribution to our knowledge of Indian life. The chief paper is a description of the Hako, a Pawnee ceremony, by Alice C. Fletcher, who was assisted by an educated Pawnee, James R. Murie; the music of the songs being transcribed by Edwin S. Tracy.

Capen, Edward Warren. *The Historical Development of the Poor Law in Connecticut*. Vol. XXII. *Columbian Studies in History, Economics and Public Law*. Pp. 520. Price, \$3.00. New York: Columbia University Press, 1905.

This is a careful study of the Connecticut laws from 1634 down to 1903. The state presents an excellent field for such investigation by virtue of the great development of the towns as compared with state and county. Experience has shown that while the town system brings local responsibility, the unit is too small in many ways. Since 1837, therefore, the activity of the state has increased. To-day the towns really block the plans proposed to dis-



strict the state, while the uneven quality of the work done for the various needy classes is open to criticism. The history is interestingly set forth, each statement of fact is verified by references, and the volume rendered more useful by indices and bibliography. The volume should instruct not only legislators of Connecticut, but of other states as well. Dr. Capen is to be congratulated upon his excellent monograph.

**Colquhoun, Archibald R.** *Greater America.* Pp. xii, 436, with Maps and Diagrams. Price, \$2.50. New York: Harper Brothers, 1904.

Reserved for later notice.

**Cosentini, François.** *La Sociologie Génétique.* Pp. xviii, 205. Price, 3f.75. Paris: Felix Alcan, 1905.

This little volume is a study of pre-historic social life and thought, and gives in brief compass an excellent resumé of what is known and believed of early man and his institutions. A bibliography accompanies each chapter. The author, a professor in the University of Brussels, takes at times rather advanced positions, but his interpretation of the results of recent archæological and ethnological researches is most interesting.

**Deecke, W.** *Italy.* Translated from the German by H. A. Nesbitt. Pp. xii, 485. Price, \$5.00. New York: The Macmillan Company, 1905.

Professor Deecke's Italy is a monumental piece of painstaking German scholarship. It is a study, primarily economic, somewhat similar in scope to Shaler's United States. It differs in that it is all done by one man, and is all done carefully and well. The illustrations are good, the maps are excellent, and the range of information, including geology and art, is sufficient to satisfy the wants of the man of affairs and the student of economic conditions. It is a piece of careful scientific work such as one rarely meets outside of Germany, though the multitude of facts presented occasionally makes hard reading.

**Ferraris, Carlo F.** *L'Amministrazione Locale Inglese nel suo Ordinamento Generale.* Pp. 49. Roma: Nuova Autologia, 1904.

**Fish, Carl Russell.** *The Civil Service and Patronage.* (Harvard Historical Studies.) Pp. xi, 281. Price, \$2.00. New York: Longmans, Green & Co., 1905.

Reserved for later notice.

**Flanders, Henry.** *An Exposition of the Constitution of the United States.* Fifth Edition. Pp. xii, 326. Philadelphia: T. and J. W. Johnson & Co., 1904.

This is a new and enlarged edition of a little book designed to afford a convenient manual for the use of students of the Constitution of the United States. Each provision of the Constitution is intelligently explained under an appropriate heading and in the light of its historical origin, authoritative judicial interpretation and the well-established precedents. It is in a sense an elementary treatise on constitutional law, but is intended rather for the lay reader than the professional student. As such it is one of the clearest and most useful of the briefer manuals that has appeared.

**Fox, Wilson.** *Second Report on Wages, Earnings and Conditions of Employment of Agricultural Labourers in the United Kingdom.* (Labour Department, Board of Trade.) Pp. xii, 263. Price, 2s. 9d. London: Darling & Son, 1905.

**Hobhouse, L. T.** *Democracy and Reaction.* Pp. viii, 244. Price, \$1.50. New York: G. P. Putnam's Sons, 1905.

See "Book Reviews."

**Hollis, John Porter.** *The Period of Reconstruction in South Carolina.* (Johns Hopkins University Studies in Historical and Political Science, Series XXIII, Nos. 1 and 2.) Pp. 129.

This is a valuable monograph on the early history of the reconstruction period in South Carolina and constitutes the first installment of a projected comprehensive history of the entire reconstruction movement in that state. The present monograph attempts to show the economic and political effects of the Civil War on South Carolina, the chief features of the constitution of 1865, the failure of reconstruction under that constitution, the events leading up to the convention of 1868 and the operations of the Freedmen's Bureau in South Carolina.

**Horton, Isabelle.** *The Burden of the City.* Pp. 222. Price, 50 cents. Chicago: Fleming H. Revell Company, 1905.

This little volume is intended as a text-book in the Home Mission Study Course. It is strongly evangelical, but is free from cant. The author has a deal of shrewd insight into human nature and much knowledge of social conditions. The style is interesting and the contents suggestive. Each chapter has a bibliography.

**Hubbard, Arthur J., and Hubbard, George.** *Neolithic Dew Ponds and Cattleways.* Pp. xii, 71. Price, \$1.25 or 3s. 6d. New York and London: Longmans, Green & Co., 1905.

This little volume deals with certain aspects of the life of neolithic man in England as revealed in the fortified hill—encampments of the Southern downs. The argument turns upon the question of the water supply of the neolithic herdsman, who, exposed as he was to the attacks of wild animals as well as of human antagonists, found it necessary to make provision for watering his herds while securing them from attack. This was done, the authors maintain, by the construction of fortified dew-ponds in close proximity to the settlement, with which they communicated by means of well made cattleways. The fact that these dew-ponds communicate with some of the enclosures is adduced as additional evidence of their having been contemporaneous with the earthworks. The entire water supply for man and beast was derived from these dew-ponds, the construction of which involved in some cases as much labor as that of the earthworks themselves. The suggestion here indicated and dealt with in a candid spirit by the authors, is an interesting one and one which commends itself for further investigation. The half-tone illustrations made from photographs are admirable, and altogether the book is one to be read with interest and profit by everyone at all interested in the evidence relating to our ancestors of the stone age.

**Juncos, Manuel Fernandez.** *Compendio de Mora para las Escuelas.* Pp. 84. New York: Silver, Burdett & Co., 1904.

**Lahontan, Baron de.** *New Voyages to North America.* Two volumes. Pp. xcii, 797. Price, \$7.50 net. Limited numbered edition, \$18.00. Chicago: A. C. McClurg & Co., 1905.

This interesting account of the life of a French adventurer in America, with its strange mingling of fact and fiction, its descriptions of Indian life and customs, forms the fourth of the American reprints being issued by A. C. McClurg & Co. The editorial work has been done by Reuben Gold Thwaites, who contributes the introduction, while Victor Hugo Paltsits, of the Lenox Library of New York, has prepared an extensive bibliography. The original title pages, maps and illustrations are reproduced.

The English version of 1703 is the one here given and its rarity may be inferred from the fact that no complete edition has appeared since 1735. The present volumes will be a welcome addition to libraries and collections of Americana. The binding is uniform with earlier volumes of the series.

**Lamprecht, Karl.** *What is History?* Five Lectures on the Modern Science of History. Translated from the German by E. A. Andrews. Pp. ix, 227. Price, \$1.25. New York: The Macmillan Company, 1905.

Under this rather extravagant translation of the original title Mr. Andrews introduces to the English reader a series of five lectures delivered by Professor Lamprecht, and published in Germany at Freiburg in 1904 as "*Moderne Geschichtswissenschaft*."

In the first lecture Professor Lamprecht discusses the gradual evolution of historic writing through the stage in which interest centres largely or exclusively in individuals or special phases of human activity, into the stage where these are subordinated and the emphasis is laid upon the collective culture or civilization of that vast corporation of individuals which make up a nation at any particular time. Examples of the former are genealogies, epics and political histories of the type of Ranke and Sybel. Of the latter the histories of civilization afford a crude example. Till the seventies the new tendency was still in its infancy, but during the last decades the rise of sociology and anthropology has given it a new impetus. Historians began to recognize the duty of studying the complex phenomena of the socio-psychic life. The first step in this direction naturally led to the analysis of the phenomena associated with the existence of great communities of men, that is, nations. Next came the study and determination of socio-psychic eras within this domain. The first good instance of this appears in Burckhardt's "History of the Culture of the Renaissance," in which the great psychic difference between the Middle Ages and the period of higher culture is admirably set forth. More recently the attempt to make a statement of the course of a whole series of cultural ages was made by Lamprecht himself in his "German History."

The other lectures deal with some of the basic problems connected with this method, particularly the mechanism of the great socio-psychic movement. This affords the author an opportunity of correcting and modifying some of



the theories and statements of his "German History," which time and Mr. Lamprecht's critics have plainly shown to be untenable.

Space does not permit a searching analysis of the work. It is in the main an elaboration of the views expressed by the author and his admirers in the controversy over "*Was ist Cultur-Geschichte?*" excited by the publication of his history of Germany and the queries it aroused. Unfortunately the book abounds in abstruse terminology borrowed from psychology and kindred sciences, giving to the ideas a decidedly original appearance, when as a matter of fact they are only old friends in a new dress.

List, Friedrich. *The National System of Political Economy*. Pp. xliv, 366.

Price, \$2.00. New York and London: Longmans, Green & Co., 1904.

The fiscal controversy in England has been the occasion for the reappearance of several classical treatises of a more or less polemic character, and there is nothing particularly surprising or noteworthy therefore in the reissuing of this book, the most celebrated of them all. Coming as it did just at the time when the inductive or historical school was emerging out of the revolt from the system of natural liberty, List's system is interesting reading to the student of the development of economic thought, especially in that his revolt carried him to a further extreme than was the case with those who cared more for methods of investigation. "I would indicate," says List, "as the distinguishing characteristic of my system, nationality." And herein he differed sharply and decisively with the various systems of natural liberty, and between these he was not very careful to discriminate. In this, too, as Schmoller and others have pointed out, he was a better spokesman for his times than were Adam Smith and his successors. Whatever one's opinion of his convictions, his courage of utterance commands the admiration of all. His formative influence upon opinion in this country was not exceeded perhaps by that of any other writer upon the same subjects.

An introductory essay by Professor J. Shield Nicholson is a sufficient safeguard against the readers forgetting the inapplicability of his arguments to England at the present time.

McClain, Emlin. *Constitutional Law in the United States*. Pp. xxxviii, 438. Price, \$2.00. New York: Longmans, Green & Co., 1905.

In this book Justice McClain has attempted to cover the whole field of American constitutional law, not only from a purely legal point of view, but also more or less philosophically and historically, within the limits of a college text-book of 365 pages. Appendices giving the text of Magna Charta, the English Bill of Rights, the Declaration of Independence, the Articles of Confederation, the Northwest Ordinance of 1787, and the Constitution, make up a volume, all told, of 420 octavo pages.

The book does not make the conventional division between the Federal government, on the one hand, and state and local governments, on the other, but considers the powers of government, both state and national, from several more or less logically distinct standpoints. This will be best indicated by an enumeration of the eight main topics selected for treatment. They are: "System of Government," "Organization of Government," "Legislation," "Exec-

utive Power," "The Judiciary," "The States and Territories," "The Relation of the Individual to the Government," "Civil Rights."

Covering in a cursory way so vast a field, the book is necessarily in many respects unsatisfactory. It has, however, the decided merit of containing a selected general bibliography, topical bibliographical references for each chapter, an analytical table of contents, and a fairly satisfactory index. These mechanical excellencies render the volume an extremely usable one.

**McKinley, Albert Edward.** *The Suffrage Franchise in the Thirteen English Colonies in America.* (Publications of the University of Pennsylvania. Series in History, No. 2.) Pp. v, 518. See "Book Reviews."

**McVey, Frank L.** *Modern Industrialism.* Pp. xiii, 300. New York: D. Appleton & Co., 1904.

According to the author's statement this is an attempt to condense six volumes into 300 pages. He thinks that the future state is foreshadowed in present industrial society. The social problems of which America from her richness has the greatest burden, must be solved in the light of its teachings. He then states these teachings by telling the familiar story of the English industrial revolution and the rise of Germany and the United States.

Then follow descriptions of some conspicuous mechanisms of industry and commerce with the resulting achievements. The last third of the book is devoted to the problem of the relation of government to industry. In this part the railway is considered at greatest length, but the discussion does not equal that given by Johnson in "American Railways."

The book on the whole is well written, but its wide scope makes it but a brief introduction to the subjects treated. Parts of it are suited for use in high schools and lower college classes.

**Molinari, G. de.** *The Society of To-Morrow.* Pp. xlviii, 230. Price, \$1.50 net. New York: G. P. Putnam's Sons, 1904.

The author of this prophecy of political and economic organization is not an unknown "dealer in futures." In 1844 he published a forecast of the social effect of railroad development on the mobility of labor and proposed a "bourse du travail" to correspond with the stock exchange and to furnish laborers with daily quotations of the highest prices of all classes of labor in different parts of the country, while rapid and cheap transportation enabled him to go where he could compete for the best paid work. Fifty years later the Bourse du travail was established in France, but M. de Molinari's view of the economic influence of the railroad on the laborer was not wholly realized. "The Society of To-Morrow" is a peace essay, with appropriate introductions, fore-words and hind-words by noted apostles of peace, and tries to picture things as they will be when the competitive struggle becomes wholly intellectual rather than physical. Hodgson Pratt, Frederic Passy and Edward Atkinson contribute to the volume which is rendered in good English by P. H. Lee Warner, who translated it from the French.

**Patterson, C. Stuart.** *The United States and the States Under the Constitution.* Second Edition. Pp. xli, 347. Price, \$4.00 net. Philadelphia: T. & J. W. Johnson, 1904.

See "Book Reviews."

**Quaintance, H. W.** *The Influence of Farm Machinery on Production and Labor.* (Publication of American Economic Association. Third Series, Vol. V, No. 4.) Pp. viii, 106. Price, 75 cents. New York: The Macmillan Company, 1905.

**Rand, McNally & Co.** *New Imperial Atlas.* Pp. 172. Price, \$2.50. Chicago and New York, 1905.

This is an excellent popular atlas containing colored maps of all countries with large scale maps of the states and territories of the United States and Canada. The statistics are based upon the latest censuses. There is a very useful marginal index upon all the maps.

**Reformer's Year Book, 1905.** Pp. 272. Price, 1s. London: "The Echo," 1905.

This valuable little manual of things social in England, formerly known as the Labor Annual, may be secured in America from "The Comrade," 11 Cooper Square, New York City.

**Ripley, W. Z.** *Trusts, Pools and Corporations.* Pp. xxx, 477. Price, \$1.80. Boston: Ginn & Co., 1905.

"Trusts, Pools and Corporations" proves to be a compilation of articles by various writers, arranged primarily with a didactic purpose. It differs from most compilations or reprints in this particular. In other words, it is an attempt to apply the "case" method to the study of corporations, as a desirable supplement to the theoretical and historical treatises thereupon.

It is by no means easy for such a book to avoid the appearance of having been merely put together to sell. To be sure, the case method is no experiment, and there is no hardihood shown in its application in the present instance, and doubtless the book will prove a valuable adjunct to the equipment of the student. But a further compilation and classification of cases would have been more reassuring to the student. An excellent beginning has been made, and it is to be hoped that Professor Ripley will carry the idea further in a later edition, a work for which his eminent services on the Industrial Commission have so well qualified him.

**Scruggs, William L.** *The Colombian and Venezuelan Republics.* New Edition. Pp. vi, 380. Price, \$1.75. Boston: Little, Brown & Co., 1905.

Information concerning Spanish America is much needed and much in demand. People are beginning to realize that there is a problem to master before we really understand these neighbors who are looming steadily larger on our international horizon. Mr. Scruggs helps us toward this solution in the new edition of his book on Colombia and Venezuela. He gives us the ripe fruit of over a quarter of a century of residence and observation in those countries. He tells us about everything he has learned, history, politics, geography and travel, and includes boundary disputes and the latest episodes of the Panama situation.



Smith, J. Russell. *The Organization of Ocean Commerce*. Pp. viii, 153. Price, \$1.50 paper; \$1.75 boards. Philadelphia: University of Pennsylvania, 1905. (John C. Winston Company, Philadelphia, selling agents.)

See "Book Reviews."

Smith, William Benjamin. *The Color Line*. Pp. xv, 261. Price, \$1.50 net. New York: McClure, Phillips & Co., 1905.

The author is a professor at Tulane University. He believes that there are but two possible solutions to the negro problem, amalgamation or extinction of the weaker race. The greater part of the volume is devoted to proving that the negro is hopelessly inferior in every way to the Caucasian, and that he is doomed to certain extinction. The author sees no ray of hope, even if Booker Washington's plans were generally adopted. "But that the average of the negro, both moral and physical, has fallen and is falling measurably under all endeavors to lift him up is a fact that shines out clear in the light of the foregoing statistics." The argument is largely rhetorical and contributes nothing to our knowledge of what is going on. Any evidence favoring the negro is either ignored or explained away. The full-blooded negro is bad enough, but far worse is the mulatto. With the author's desire to prevent the blending of the races the whites both north and south are in hearty accord. No evidence is presented, however, to show to what extent such an amalgamation is taking place. The book abounds in extreme statements, and save to those who are certain that they know the future, will create doubt rather than conviction. As a plea of an intelligent partisan the book has value, but otherwise is not to be compared with the recent volume of Mr. T. N. Page, who holds very similar views.

*Sociological Papers*. Issued by the Sociological Society (England). Pp. xviii, 292. Price, \$4.00. London and New York: The Macmillan Company, 1905.

The Sociological Society is to be congratulated upon its first volume. Most of the papers included were presented before the society during 1904, and are accompanied by numerous communications from various students upon the subjects discussed. The book is welcome not merely because of the excellent papers, but also because of the light it throws upon the headway sociology is making in England. The new society, which already has a goodly membership of prominent men, aims to further the study of social phenomena.

In the introductory chapter Mr. James Bryce advocates increased attention in university and other circles to social problems. The paper of Mr. Francis Galton on *Eugenics* (in sturpiculture) has attracted favorable notice. The author holds that the human stock is as susceptible to improvement as any other. It is indicative of the English situation that Mr. V. V. Branford finds it necessary to devote some twenty-four pages to an historical apology for the word *sociology*, but the account is interesting. Professor Patrick Geddes contributes a stimulating discussion of "Civics, as Applied Sociology," while Dr. E. Westermarck tells of "The Position of Women in Early Civilization." There is an account of an English agricultural village by Mr. Harold Mann, in which it is shown that the standard of living is lower than in

London. There are also two good papers on the relation of sociology to the social sciences, by Mr. V. V. Branford and Professor Durkheim.

The volume is well printed on excellent paper and will be of interest to all students of sociology.

**Stangeland, Charles E.** *Pre-Malthusian Doctrines of Population.* (Columbia University Studies in Political Science, Vol. XXI, No. 3.) Pp. 356. Price, \$2.50. New York: Columbia University Press. The Macmillan Company, agents, 1904.

This volume bears the sub-title, "A Study in the History of Economic Theory," and such it is. It is a valuable contribution to the literature of the subject. The author considers the population question as one of the most important in economics, and he has collected with great care the ideas of writers from times of early Greece down to Malthus. References are always given and the writers quoted verbatim or paraphrased.

Arranging the doctrines chronologically, the author puts them in the following groups:

I. The primitive attitude, usually taking the form of religious veneration of the procreative powers.

II. The Greek view, which held the sexual relation in strict subordination to the ends of the city state.

III. The Roman policy of stimulating population in order to expand the state.

IV. The mediæval Christian concept emphasizing celibacy.

V. The humanists, who sought the regulation of population in imitation of classical views.

VI. The individualistic and the anti-ascetic attitude of the reformation.

VII. The mercantilist attitude, favoring increase of population as a prerequisite to national power.

VIII. The scientific attitude based upon a study of the relation between population and the food supply.

The author shows that all of Malthus' ideas had been anticipated by earlier writers. The volume will be welcomed by students.

**Varlez, Louis.** *Les Salaires dans l'Industrie Gantoise.* (Royaume de Belgique Ministère de l'Industrie et du Travail.) Pp. cxlv, 239. Price, 3.50f. Bruxelles: J. Lebègue et Cie., 1904.

**Wack, Henry Wellington.** *The Story of the Congo Free State.* Pp. 634, xxv. Price, \$3.50. New York: G. P. Putnam's Sons, 1905.

The king of the Belgians and the administration of the Congo Free State have found an ardent champion in Mr. H. W. Wack, F. R. G. S., of the New York bar. His book, "The Story of the Congo Free State," is a large volume well and profusely illustrated, giving a general account of Congo affairs and conditions. It seems to have been written by a stay-at-home. The author claims that English rubber interests are opposed to the Belgians and are pushing a false campaign of calumny against them. Mr. Wack frankly admits that he went to the King of Belgium and secured the data from official documents to write the "true" story of "a great colonizing under-

taking founded upon modern social science." He disclaims any desire to whitewash the situation, and says he is in no wise influenced by the courtesies shown him by the Belgians. His refutation of the British charges is so violent that, considering the sources of his information, the argument is not convincing. The volume deserves attention, for many valuable facts are presented.

**Wallace, Dillon.** *The Lure of the Labrador Wild.* Pp. 339. Illustrations and maps. Price, \$1.50 net. Chicago: F. H. Revell Company, 1905.

This fascinating journal of the expedition into the unknown regions of Labrador, conducted by the lamented Leonidas Hubbard, Jr., who lost his life on the trip, has already passed into its second edition. The story is simple and pathetic, yet withal appeals to some of the deepest instincts of man. It is one of the most interesting accounts of exploration we have seen, and will be enjoyed by all who read it.

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#### REVIEWS

**Avery, Elroy McKendree.** *A History of the United States and its People from Their Earliest Records to the Present Time.* Vol. I. Pp. xxii and appendix, 405. Price, \$6.25. Cleveland: Burrows Brothers Company, 1904.

This is the first volume of a history of the United States, to appear in twelve volumes. The period covered by the present volume is the "Period of Discovery."

"Twenty years ago," the prospectus says of the publishers, "they recognized the urgent need for a really excellent popular history of the United States, one that should be: first, trustworthy, without being a mere mass of documents; second, complete or extended enough to be more than a mere skeleton, devoid of all flesh and blood of personal interest; third, so lucidly written that its clearness of expression should make it as interesting as a novel; fourth, liberally mapped; fifth, instructively illustrated, beautifully printed and sumptuous. Dr. Avery has devoted years of study to supplementing clearness of telling with correctness of statement and a true philosophic historical perspective."

So much for origin. As to method: "Dr. Avery has built his narrative upon the foundations laid down by others, often, however, being forced to go or to send to the fountain head." It is stated elsewhere that the twenty-second chapter was originally written by James Mooney, of the Smithsonian Institute. That the material for the second chapter also came from that institution; and that the chapters on the Coronado Expedition and those on the Spanish Explorations, "besides the general critical readings they received were further examined by George Parker Winthrop, librarian of the John Carter Brown Library, Providence, R. I.; Frederick Webb Hodge, editor of the *American Anthropologist*, and Frank Heywood Hadden, of Lawrence, Kans., all specialists upon this subject. What we have, in short, at least in chapters specifically mentioned above—and they



are the best in the volume, chapters I and II amounting to a real contribution—is the results of the scholarship of others cast into the literary mould of Dr. Avery's style. Dumas the elder compared his relationship with his numerous collaborators to that of Napoleon with his marshals. Dumas, however, never raised his "marshals" from their humble condition of anonymity. Dr. Avery and his publishers have, in the cases above noted, been more generous. What with all this candor—somewhat scattered, it must be admitted—and the complaisance of the specialists whose services were invoked, the most captious critic is effectually estopped from raising any question as to the propriety of the system of history writing just described.

The volume before us is to be judged however not as a contribution to historical scholarship, but as a work designed "to meet the wants of men and women of general culture." From this standpoint it has, without doubt, certain excellencies. It is written in an interesting style. At few points could the publishers have improved upon their part in the work.

On the other hand, not a few adverse criticisms must be recorded. In the first place, while the style has a certain pleasing smoothness, the reluctance of the author to interrupt this compels him to fail, at crucial points, to state explicitly what he is talking about, and the result for the reader is perplexity. If it is sometimes fittingly eloquent, at other times the effect hardly befits the dignity of history written for "cultured men and women." "But the nascent West need not pale its glory before that of the dead or dying Orient" (page 65) is not eloquence to say the least. Again the effort to compress information by an allusion to what has not been told (pages 60-61) is always disastrous.

In his discussion of moot points, Dr. Avery shows an admirable desire to hold an even hand between contending theories. This virtue of impartiality has, however, its limits. For example, the point of greatest weakness in Varnhagen's defense of Vespucci is not exposed at all. Good nature, too, is not an unqualified virtue. Why should Marcou's generally derided theory of the origin of the word "America" be mentioned at all (page 240).

But the greatest defect of Dr. Avery's treatment of the "Period of Discovery" remains to be mentioned: *its lack of proportion*. The author claims to rest his work upon the best results of scholarship dealing with his subject. It is not demanded that he should have conceived the brilliant idea illustrated by Professor Cheyney in the idea of *beginning* the "History of the United States" with a discussion of the European conditions that led to the discovery of America. But it is certainly little less than provincial to devote ten pages (Chap. III) to fabled discoveries of America and twenty-three pages (Chap. IV) to the resultless discovery by the Norsemen, while disposing of the Eastern question and its bearing on the discovery of America in less than one page (108), and the work of Henry the navigator in two more (109-111).

Our verdict regarding Dr. Avery's bibliography must also be that it might be improved. We still judge from the standpoint of the "men and women of general culture" who are going to read this book. What are these helpless folk to do with a list of writings in which a silly magazine article demanding that

America be renamed in honor of Columbus hobnobs with Santarem's "Researches?" In certain cases Dr. Avery has pointed out the importance of an author's contribution to his subject. This idea should be utilized farther; and inferior works, if they are to be mentioned at all, should be noted in smaller type than more important works. Also, when the work on a subject is in French or German, it ought to be mentioned.

We are pleased to learn that the publishers have decided to omit imaginative pictures. We should recommend that Dr. Avery make a similar sacrifice of irrelevant poetical quotations. The cover, the prospectus explains, was designed along patriotic lines. It is unfortunate. For it mars an otherwise splendid piece of book making.

EDWARD S. CORWIN.

*University of Pennsylvania.*

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**The Cambridge Modern History.** Planned by Lord Acton and edited by A. W. Ward, G. W. Prothero and Stanley Leathes. *The Wars of Religion*, Volume III. Pp. xxviii, 914. Price, \$4.00. New York: The Macmillan Company, 1905.

This volume of the Cambridge modern history covers approximately the years from 1555 to 1648. The first decade of the latter half of the sixteenth century is marked by a series of events that clearly indicate the tempestuous character of the century that follows. In 1555 occurred the abdication of Charles V; four years later, in 1559, the treaty of Cateau-Cambresis ended the long war between the two great Catholic powers, France and Spain. Italy was freed from her invaders, and Savoy gained her independence; England had lost Calais; Mary Tudor had just died, and parliament declared Elizabeth the supreme head of the Church of England and substituted the Book of Common Prayer for the Mass, while Mary Stuart proclaimed herself the lawful heir. More significant still was the change in the character of Protestantism into an aggressive, militant Calvinism, relying for its strength upon the people, and threatening not only the old faith but monarchical institutions themselves, in France, in Scotland, and to a less degree in the Netherlands. In the face of this new danger Catholic France and Spain drew very naturally together, while the church prepared for the conflict by a careful reformulation of its tenets in the third session of the Council of Trent, and by establishing the other instruments of the Catholic Reformation,—Society of Jesus and the Inquisition. Thus reformed, and with a new zeal it came to the aid of the political powers arrayed against the new Protestantism. The task before it "was the suppression of the threatened revolt in France, Scotland and the Netherlands and the dethronement of Elizabeth as a heretic and a usurper" (page 260).

The vicissitudes of fortune attendant upon this task constitute the subject-matter of the volume. Unfortunately the central theme has impressed itself upon only a few of the contributors and as a consequence we are confronted with a series of studies closely related to one another in subject but not in treatment. The editors might render an effective service by furnishing

the different contributors with reprints of the following from the original plan. "For each of these (volumes) some historical fact of signal importance has been chosen as a central idea around which individual developments are grouped, *not accidentally*, but of reasoned purpose" (Vol. I, page 6).

The volume on "The Wars of Religion" presents too much accidental selection and grouping. This will strike the reader forcibly at the very outset in Mr. A. J. Butler's tedious narrative of the eight wars between Huguenots and Catholics in France. Nor does the chapter on "France under Henry IV," by Mr. Leathes, improve matters materially. One of the essentials of good historical writing is a careful exercise of judgment in the matter of selection. Facts should be chosen with reference to their relation to the treatment as a whole not merely because they happen to lie upon the surface or appear with the first turn of the spade in the research digging. Mr. Butler also contributes a chapter on the "End of the Italian Renaissance," which is remarkable for its involved style and its purism. Aristo could on occasion "Petrarchize;" his wit is of the "Burnesque" order rather than of the "Boccacesque," while Forlengo is particularly felicitous in writing "Macaronic" poems. This chapter, along with the one on Poland, by Dr. Brosch on the "Ottoman Empire at its Height," which is exceptionally good, and the two excellent studies by Mr. Ward on the Empire of this period, constitute the portions of the volume not immediately dominated by the great forces that give unity to the age in western Europe.

The story of these forces as they developed in the Netherlands is simply and entertainingly told in three chapters by the Rev. George Edmundson, but the writer frequently fails to grasp the significant economic and racial factors in the conflict, nor does he appear at all conscious of any but local phases of the subject. The larger European interests of which the struggle in the Netherlands formed an integral part are not kept in mind, the treatment in this respect differing strikingly from Mr. Lawes' in the chapter on Mary Stuart. Mr. Laughton's chapter on the "Elizabethan Naval War with Spain," while apparently the work of a specialist, suffers by comparison with Sydney Lee's on the "Last Years of Elizabeth" and the "Elizabethan Age of English Literature." In these we find a welcome respite from the interminable dates and battles of the military and political history, and approach more closely to the life and thought of the nation. The style is very felicitous, and we are made to feel the abounding intellectual and physical energy of the Elizabethan era. But of all the chapters in the volume, that by the late Professor S. R. Gardiner stands out conspicuously as the work of a master. The research and constructive thought of a lifetime appear condensed and crystallized in his chapter on England under James I, and that clarification which comes from the highest kind of specialization is everywhere conspicuously present. The important subject of Spain during this period is done by Martin Hume with considerable success. Italy, which escaped in a large measure from the internecine wars of the era, is treated in two chapters; Tuscany and Savoy, by Mr. Armstrong, and Rome under Sixtus V, by Count Ugo Balzani, the latter's account of the reorganization of the Congregation having special merit.



As a whole the treatment of the era is strikingly uneven. The paramount excellence of some of the chapters is so evident that the weakness of the others is made especially evident. The usual bibliographies are found at the close, but as in the previous volumes no attempt at a valuation of the works is made. There are occasional slips, especially in the matter of citing later editions, as if the original were meant. The announcement by the editors that after the issue of Volume XII, the narrative will be supplemented by a volume of maps and by another containing genealogies and other auxiliary information, with a general index to the entire work, will be generally welcome.

WILLIAM E. LINGELBACH.

*University of Pennsylvania.*

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**Conant, Charles A.** *Wall Street and the Country.* A Study of Recent Financial Tendencies. Pp. x, 247. Price, \$1.25. New York: G. P. Putnam's Sons, 1904.

In these days when the public mind seems charged with doubt and suspicion respecting all financial and capitalistic institutions, and many persons in their eager desire to crush certain forms or methods of industrial organization and procedure would hurry forward into universal socialism, this little volume of essays should obtain an extensive reading. Herein are six studies of as many important phases of recent economic or financial developments. They relate to: (1) "The Future of Undigested Securities;" (2) "The Trusts and the Public;" (3) "The Function of the Stock and Produce Exchanges;" (4) "The Economic Progress of the Nineteenth Century;" (5) "Putting China on the Gold Standard," and (6) "The Growth of Trust Companies." Those who infer from the title given the volume that they can learn from its contents much concerning the intimate transactions of "Wall street," of its intricate mechanism, of its "bull" and "bear" operations, the "short" and "long" sellers, and the tricks of the pit and the curb in "corners" and panics will be disappointed. The title is transcendental and suggestive of the subject-matter.

Mr. Conant's main objective, so far as his discussion relates to recent stock exchange operations and capitalistic combinations, is to demonstrate that two plus two makes four and will continue so to sum up despite recent novel and perplexing developments that seem to suggest a different conclusion. Recent stock operations, such as the marvelous increase of industrial securities and the astonishing growth of trusts and gigantic corporations, have not been irrational nor hostile to the public welfare. On the contrary, trusts, although novel, are normal results flowing from immense increases in disposable capital and declining interest rates. Industrial stocks are not a whit different from any other corporate securities and they are subject to the same laws of value that are conveniently summed up in the law of supply and demand. The trust is an effective device for increasing the efficiency or productiveness of the people's disposable capital. Mr. Conant's analysis and discussion of most points, especially where popular opinion

inclines strongly to repressive measures, is illuminating and judicial in tone. He shows clearly that "publicity" is not a panacea for the evils of stock jobbing. Certain beneficial results can be secured from public inspection and exhibits, but the primary cause of the evils most loudly complained of in this connection, is due to the investor's overweening desire for abnormal profits or interest or dividends. No amount of publicity or governmental paternalism can prevent men and women making stupid investments when they are seized with a mania for "getting rich quick." All that government can do successfully in such premises is to prohibit and punish gross fraud or perversion.

Mr. Conant's admirable discussion is, however, subject to some adverse criticism. He contemplates the recent phenomena of stock manipulation chiefly if not entirely from the point of view of the investor and the promoter of capitalistic enterprises. But while, in the large, the interest of these classes is likewise that of the public, yet we know that there is more or less conflict between the general welfare and unrestrained private venture; and no matter how much we may deplore increasing governmental interference in current industry and commerce, the necessity therefor seems imperative. Mr. Conant expresses marked skepticism respecting the wisdom of federal control of corporations, because corruption would so concentrate at Washington (page 73), and regards as satisfactory the present state control (page 213). As one considers the frightful corruption that for years has reeked in the legislative precincts of the state capitols of Delaware, Illinois, Missouri, Pennsylvania and Rhode Island we doubt the sufficiency of his argument. His assertion that the state inspection laws of New York and Massachusetts insures the "solvency and sound management" of trust companies is hardly consistent with not a little of his argument adverse to governmental regulation. Moreover, we suspect that there are solid grounds for the general consensus of opinion that the national banks are subject to more thorough-going and effective supervision than the banks of any state government in the Union; and a consideration of the essential principles of effective administration will indicate that the national administration must needs excel state or local administration from the very nature of the conditions under which they exist.

F. I. HERRIOTT.

*Drake University, Des Moines, Ia.*

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Edgington, T. B. *The Monroe Doctrine*. Pp. viii, 344. Price, \$3.00. Boston: Little, Brown & Co., 1905.

The first half of this volume is a somewhat conventional discussion of the origin and more important applications of the Monroe Doctrine. The second half, which is suggestive and decidedly original, deals largely with conditions as they now exist in the Latin-American republics and the duties imposed upon the United States by its assertion of the Monroe Doctrine. The author devotes much space to a refutation of the "Calvo Doctrine," meaning thereby the denial by a well known Argentine publicist of the right

of European powers to intervene in Latin-America in support of the pecuniary claims of their subjects. Mr. Edgington not only favors receiverships where default is made in the payment of foreign debts, but he goes further and advocates a form of political receivership for the suppression of revolutions and for the settlement of disputed presidential elections. He sees no reason why the affairs of an American republic may not be straightened out by a receiver in precisely the same manner as the affairs of a railroad corporation.

Some of the discussions, especially in regard to coaling stations and the collection of international debts, do not indicate a very strong grasp of the principles of international law. Vattel appears to be his main reliance, though Hall is quoted twice. The book contains errors of fact as well as of judgment. There is a good deal of unnecessary repetition, not only of ideas but of phrases and in some cases of whole paragraphs. The most serious imperfections are due to a lack of experience in handling sources, especially a lack of acquaintance with public documents. The material is drawn largely from the "Annual Cyclopaedia," the "American and English Encyclopedia of Law," and the daily newspapers. There are several references to the "Messages and Papers of the Presidents" and to the "Statutes at Large," one to Wharton's "Digest," several to the "Foreign Relations," but only to one volume, that of 1902, and references to two senate documents. The frequent references to "Senate Document, 330," containing the report of the Second International Conference of American States, should be to "57th Cong., 1st Sess., Sen. Doc., 330," and the references in chapter 27 to the *Foreign Relations* are to the volume for 1902.

Notwithstanding grave defects the book is interestingly written and suggestive. The author is a member of the bar of Memphis, Tenn.

JOHN H. LATANÉ.

*Washington and Lee University.*

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Gilman, Nicholas Paine. *Methods of Industrial Peace*. Pp. x, 436. Price, \$1.60. Boston: Houghton, Mifflin & Co., 1904.

Professor Gilman's book is likely to be the precursor of a large number of works in the important field of industrial relations. It is based on that community of interest between labor and capital which has been so much emphasized in recent magazine literature, and the subjects treated are: "Combination of Employers," "Of Employees," "Collective Bargaining," "The Sliding Scale," "The Incorporation of Industrial Unions," "Conciliation," "Legal Regulation of Labor Disputes in Monopolistic Countries," "Regulation in New Zealand" and "The Essential Conditions of Industrial Peace." With these he also offers chapters on "The Aims and Methods of Trade Unionism," "The Rights and Duties of the Public," "Industrial War," and a general review of the importance of association in modern industry. The author admits, without reservation, the usefulness and the necessity of combinations of employers and of employees. The object of the book is not to propose reforms to either side in the dispute, but to suggest principles of action which



will allow of the efficient working together of the two elements, "to aid in the better comprehension and the wider diffusion of the principles and the methods of industrial peace." By industrial peace Professor Gilman understands "the condition of things in which the ordinary processes of industrial production go on regularly and quietly."

In a book designed to suggest means of co-operation between labor and capital there is no room for discussion of the economic principles governing the distribution of the proceeds of industry. Professor Gilman does not criticize our present economic system; his whole aim is to secure peace and quiet. In this respect the work differs from many modern discussions of the labor question. Most of these latter are called forth by the need of a clearer understanding of the justice or injustice incident to our existing methods. The author of "Methods of Industrial Peace" passes this question by and interests himself primarily in keeping things going. The various chapters are of unequal value. "The Methods and Aims of Trade Unionism" and "The Sliding Scale" are scantily treated, while "Collective Bargaining" is given a much more thorough discussion. "Combinations of Employees" and "Combinations of Employers" are also somewhat hastily and summarily dismissed. In fact, if a general criticism might be ventured on the whole work, it would be that too much ground has been covered and that in consequence too little intensity of treatment is shown. On the other hand, the author exhibits an admirable breadth of view and impartiality which must appeal to all readers. His object has been not to offer a monograph but a general treatise, and in this respect the book is a distinct success. We may hope that the individual chapter headings in Professor Gilman's work will eventually become the titles of a series of treatises; a wide circle of readers for such a series would seem to be assured, particularly if the same spirit of impartial investigation and fair-mindedness is shown.

JAMES T. YOUNG.

*University of Pennsylvania.*

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Hobhouse, L. T. *Democracy and Reaction*. Pp. viii, 244. Price, \$1.50. New York: G. P. Putnam's Sons, 1904.

The purpose of the book is to show that democracy is following the general course of every historic movement, advance, inaction, retrogression, and to sound the alarm of a rapidly approaching danger—popular imperialism. In the effort to establish the policy of protection in England the author sees reaction. In the prosecution of the Boer War and in the subsequent attitude of England toward the South African republics he sees a plunge toward imperialism in which the people are searching for world-wide power. With the principles of the forefathers lost, the work of the past accepted with barely a note of recognition; the middle class entered within the gates of privilege, and against farther reform, the author finds himself forced to the conclusion that conservatism for economic reasons has taken hold of the Liberalist so firmly that it cannot be shaken off, and that in place of a kingly despotism a new democratic or popular despotism has grown up.

A rather close student of Bentham and Cobden, Mr. Hobhouse looks out upon the twentieth century world through a prismatic glass which distorts his whole vision. After a brief outline of the ideals of the Cobdenites an energetic attack is made upon the foreign policy of England, showing that the general attitude of the people toward government is detrimental to the interests of advancing civilization, charging at the same time general intellectual decay. "The whole current of thought has joined that of class interest and the united stream sweeps onward in full flood to the destruction of the distinctive landmarks of modern civilized progress."

In the last chapter, Liberalism and Socialism, the author attempts to break away from his general morbidness, but the reader is even here destined to disappointment. Socialism is said to be based on the victories won by liberalism, but whether it is by approaching the realm of the Socialist we are to reach a "saner social value," or by some other means one is left in doubt. While well written, the book is full of expressions, which lead one to believe it the work of a disappointed politician, rather than that of a fair critic. Although the author shows clearly that there has been a great change in economic, social and political ideals since the days of Cobden, he nevertheless fails to prove beyond a reasonable doubt, his thesis, that English democracy is in the throes of reaction from democratic principles, and already upon the threshold of popular imperialism.

WARD W. PIERSON.

*University of Pennsylvania.*

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Kinley, David. *Money: A Study of the Theory of the Medium of Exchange.* Price, \$1.25. New York: The Macmillan Company, 1904.

Professor Kinley is one of the few American writers on the subject of money who have considered it necessary to familiarize themselves with the practical details of exchanging before addressing themselves to the discussion of the principles which underlie exchange transactions. There has been a surprising amount of unreality about recent discussions of the theory of money, and while the present volume is not wholly free from the prevailing infection, it is in some respects an improvement over much that has preceded.

In his general outline, Professor Kinley follows the conventional scheme. He begins with the social importance of money, then passes through a discussion of its evolution, considers the question of coinage and currency and its circulation, and of the services and nature of money. At this point, begins the author's own contribution to the subject. This is contained in the chapters on the Movement and Distribution of Metallic Money, The Static Distribution of the Precious Metals, The Value of Money, Stability of the Value of Money, Significance and Causes of Changes in the Value of Money, and Credit and Prices. Following these, there are several chapters on Measurement of Variations, Bimetallism, etc., in which accepted opinions are represented.

Professor Kinley's discussion of the distribution of the precious metals is disappointing. Most of the modern writers upon this subject have

attempted to prove the unreality of the famous law elaborated by Ricardo; to the effect that "Gold and silver are, by the competition of commerce, distributed in such proportions amongst the different countries of the world as to accommodate themselves to the natural traffic which would take place if no such metals existed, and if the trade between countries was purely a trade by barter." In illustrating the operation of this law, Ricardo assumes what was then and is now the fact, that an increase of imports into a country, if not immediately offset by an increase of exports, would result in an exportation of gold which would continue until the increase in the supply of gold used as money in the countries from which the nation in question derived its imports, and its own decrease in money supplies would equalize values in foreign trade.

Professor Kinley attempts to invalidate this proposition by the argument that an increase of imports results in an increase of exports. "As a matter of fact a larger volume of foreign goods offered for home products will draw out a larger quantity of these products in exchange. The home products will fall in price. The exchange will alter so that both countries will get some of the advantage arising from the lowered cost of the goods exported by A. The price level will fall to a point at which there will be new equilibrium of exchange between the imports and the home products. Meantime a larger amount of goods has been sent from B to A. The price level will fall there also, with the net result that there occurs a fall in the price level of both countries, such that their average prices bear to each other the same relation that existed before, without any movement of specie."

Professor Kinley's assumption in this argument that increasing imports tend of themselves to produce an increase of exports, is not borne out by any recorded facts of foreign trade. On the other hand, the experience of the United States in recent years is a conclusive refutation of his argument. It almost invariably happens that an increase in imports resulting as they usually do from high prices in the importing countries, produces a decrease of exports. The importing country, in other words, has become a good place to sell in, but a poor place to buy in. The result is, an export of specie until the equilibrium is restored. Professor Kinley attempts to further modify Ricardo's proposition by introducing the influence of credit, but as he himself shows in later chapters, the only service of credit is to increase the efficiency of a given quantity of money, to reduce, in other words, the amount of specie which must be moved out or into a country in order to produce a sufficient change in prices to equalize its international transactions.

It is unfortunate that American economists in writing upon this subject seem to forget that David Ricardo passed a long and successful business life in the minute observation and careful study of the International Exchanges, and that his conclusions were the results of personal observation. Ricardo discussed movements with which he was familiar, and whose nature has changed but little in the hundred years which have elapsed from that date. In most branches of economics, great advances have been made since Ricardo's time. In the science of International Exchange, however, latter day critics should continue to sit at the feet of their master.



Professor Kinley's discussion of the Changes in Value of Money, also leaves much to be desired. His studies of business phenomena have doubtless convinced him, as they have every intelligent observer, that falling prices are synonymous with industry depression and that prosperity always accompanies advancing prices. In view of this business axiom, we are surprised to see in Professor Kinley's work a recrudescence of the exploded theory that the workingman may be benefited by falling prices because the purchasing power of his wages may increase more rapidly than their amount declines. There are some fields in which the "crude guessing of unmethodized experience" which Cairnes held in such scorn, furnish a better guide than the ratiocinations of the deductive thinker. The recorded experience of the business world from the time when business began is that falling prices always go hand in hand with business depression. No amount of reasoning will alter this fact, the recognition of which lies at the basis of any useful theory of exchange.

When we arrive at Professor Kinley's discussion of Credit and Prices, the effects of the results of his well-known studies in Credit and Currency are at once manifest. We have here a working theory of credit, a theory, that is to say, whose understanding would be of service to the business man because it explains the facts of modern business. While Professor Kinley properly refuses to grant to credit supreme influence in the determination of prices, he recognizes its importance, and shows that an increase in the amount of deposit currency or other forms of credit, is certain to be followed by an increase in prices. Walter Bagehot, thirty years ago, laid down the proposition that a man borrows for one of two reasons, either to buy or to keep from selling, and in consequence, an increase of loans invariably results in either an increase of effective demand or a decrease in supply.

Professor Kinley fully recognizes this connection between credit and prices, and his discussion of the subject is one of the best which has appeared in recent years. The author's next book on "Credit and Banking" will be awaited with great interest. No one is better qualified to discuss this subject, and in its elaboration Professor Kinley will be unhampered by his devotion to the unrealities of politico-monetary science. The campaign of '96 has long since past into history, but its reverberations can still be heard in the discussions of monetary theory.

E. S. MEADE.

*University of Pennsylvania.*

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**Macy, Jesse.** *Party Organization and Machinery.* Pp. xvii, 299. Price, \$1.25. New York: The Century Company, 1904.

Government is not simply what the constitution and the laws say it shall be, but what we, the people, make it in the ordinary course of things from day to day. Hence the increasing attention given in recent years to a consideration of the nature and functions of political parties in the actual conduct of government. Without definite and facile organs for the expression and realization of public opinion, organs that will bring governmental activi-

ties into harmony with the general desire, democracy, in such a vast domain as ours, would be impossible as a form of government. Political parties are the instruments by which democracy expresses itself and effectuates its purposes.

In his account of the present organization and machinery of political parties in the United States Professor Macy has given us an interesting and instructive discussion of one of the most remarkable developments in the history of governments. Following a brief introduction, in which he points out the most significant changes that have taken place in the modes and mechanisms of government by public opinion, he dwells upon the "political cycle," namely, the quadrennium of our national political life and its marked influence upon the conduct of local party activity. The national party as the great "unifying agency" in the American commonwealth, is then dealt with. Thereupon follow chapters dealing with presidential leadership, with congressional leadership, and with the work and organization of the national and congressional committees in the practical conduct of party affairs. The major portion of the text, however, is taken up with the presentation of Professor Macy's exhibits and discussion of the machinery and methods of state party organization in a number of typical American states. We are shown the immense influence of local interests and problems upon party procedure and the converse that of party methods upon local or state interests in such states as Pennsylvania, Massachusetts, Indiana, Missouri and in the South. In the last third of the volume he discusses the effect of the city upon the party system, party finance, the party in power and the party in opposition, party accessories and party loyalty and the party as a teaching agency.

Professor Macy deals with his subjects sympathetically. He is no flabby optimist; no more is he a pessimist. Unlike M. Ostrogorski, he does not suffer from cynicism regarding republican institutions and contempt for the perversions of democracy. He describes things as he finds them. Party organization may be perverted here and there, but in the main it is a natural evolution, an institution that serves the purposes of democracy, and to regard it or its phenomena as chiefly an abomination worthy only of winged darts of sarcasm and slashing judgments is far from scientific or beneficial. Instead of making a spectacular exhibit of the late M. S. Quay's peculiar sway, and winning applause from the numerous critics of his régime as is now fashionable in our popular magazines, he shows us the structure and methods of operation of the machinery that made his rule possible and that makes possible similar careers for those on whom may fall his mantle. It is particularly as to these phases of state party organization that Professor Macy has given us much new information. Messrs. Bryce, Ford and Woodburn deal chiefly with the national party organization and machinery and somewhat with municipal party life and but little directly except incidentally with the work and procedure of the state organizations. It is the last that receives extensive and original treatment in the text before us. The mode of presentation is concrete; we are given no *a priori* delineations, but rather matter-of-fact descriptions of the several local schemes of organization, their constitutions, by-laws and their practical effect upon party procedure and general

politics. It is to be regretted that the limitations of the series in which the volume appears has prevented Professor Macy from dealing *in extenso* with many phases of important developments, methods and problems that the space at his command permits only to be briefly touched upon.

F. I. HERRIOTT.

*Drake University, Des Moines, Ia.*

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**McKinley, Albert Edward.** *The Suffrage Franchise in the Thirteen English Colonies in America.* (Publications of the University of Pennsylvania—Series in History No. 2.) Pp. v, 518. John C. Winston Company, Philadelphia, selling agents, 1905.

Mr. McKinley in a series of thirteen distinct narratives attempts the history of the suffrage in the American colonies, devoting to each a complete essay, varying in length from ten to seventy pages. These limits are set because "in the New England colonies, the systems of which have been carefully studied, he has limited himself narrowly to the suffrage qualifications; in other cases, as in the Carolinas and New York, more attention has been given to these circumstances under which the suffrage was exercised." Secondly, the limits are necessary because "the material for the study has been gathered almost exclusively from the printed records of the several colonies and from the various editions of colonial laws." The abundance of available printed sources has evidently had much to do with one state's getting seven times the space devoted to another.

The author recommends Bishop's History of Elections for the analytic side, which he sets aside for "the dynamic or developmental aspects of the subjects." Using this as the basis of our judgment, as we should to be fair, the book is a splendid piece of work. The development is treated always in its bearing upon England's peculiar designs in the colony and, on the other hand, with reference to the natural economic features of the settlement and its future possibilities. We feel that sometimes rather strained efforts are made to show continuous development in matters of origin, as in making representative government spring from a petition for slaves (page 168); but in general there is shown the most conservative scholarship.

The author very sanely, as judged by the demands of the student reader, has scattered his bibliographical material in copious footnotes. However, some word of warning as to the absolute reliability of those few chapters constructed almost entirely from the older, secondary authorities (state histories) would not be amiss. In general no fault can be found with the selection of facts nor regarding the use made of them. The very open display of material is highly commendable.

Despite a few slips, such as the ambiguous use of "trust" on page 170, the expression is very clear and the treatment simple in its chronological scheme. The swing of the narrating carries the reader on easily through masses of evidence very simply and skilfully manipulated to show the ever-increasing share that the individual citizen acquired in matters governmental. The book in thus showing the share of the common man in his local



government, the nature of the official classes and the inadequacy of the governmental machinery to express the popular will, makes a valuable contribution to any scientific study of the American Revolution with its complementary era of state constitution-making. The volume closes with an admirable summary of the several qualifications of the suffrage up to and especially of the immediate, pre-revolutionary era.

The immense amount of material consulted, the care in the verification of its vast number of mere facts, and the patience shown in the organization of the mass of data, calls forth the highest praise for the author's scholarship. A very valuable and concise index adds much to the utility of the book alike to student and general reader. Besides furnishing the lecturer and student a handy collection of facts, the book ought to answer a general need in this day of agitation for election and nomination control, primary reform, etc.

JOHN L. CONGER.

*University of Michigan.*

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Patterson, C. Stuart. *The United States and the States Under the Constitution*. Pp. xli, 347. Price, \$4.00 net. Second Edition. Philadelphia: T. & J. W. Johnson, 1904.

In rewriting and bringing up to date an earlier work upon this subject, published in 1888, Professor Patterson, with the collaboration of Mr. Reeder, has rendered to all students and teachers of American political institutions a distinct service. Although the relation of the United States to the states has been many times determined by the adjudication of the courts, it is, nevertheless, a relation which is constantly undergoing adjustment. This has been particularly true during the last two decades when industrial and social developments have been so rapidly converting questions, which were formerly state and local problems, into national ones. The task of harmonizing this development with our constitutional law is the task of the lawyer and the judge, and it is because Professor Patterson has presented in a way to be understood by the layman the law as it stands to-day that his work is peculiarly timely and valuable.

The volume has, perhaps, too many of the ear marks of the law book to be read from cover to cover. After the manner of law books, its plan is analytical and topical. It contains the usual extensive table of cited cases, a fair table of contents and a somewhat less satisfactory index. The book is made extremely usable, however, for college and university work by the presence of voluminous footnotes, chiefly citations of the decided cases upon which the subject matter of the text is largely based.

The most valuable single portions of the book are probably Chapter IV, upon the regulation of commerce, which reviews the legislation and decisions up to and including the Northern Securities case; Chapter III, upon the relation of state and federal governments with reference to taxation, and Chapter X, upon the judicial power in state and nation. Other chapters deal with territories, implied powers, impairment of contracts, federal suprem-

acy and the reserved rights of states, and personal and property rights. Under this latter head several pages are devoted to the discussion of the important subject of foreign corporations in the several commonwealths and their status under the Constitution.

Professor Patterson's book does not claim to be an exhaustive philosophical treatise, but, like the recent book of Professor Freund on "The Police Power," and that of Judson on "Taxation," he has collected in usable form a large amount of legal information upon an important subject. His book will be much referred to by all students of American institutions.

WILLARD E. HOTCHKISS.

*University of Pennsylvania.*

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Smith, J. Russell. *The Organization of Ocean Commerce*. Pp. viii, 153. Price, \$1.50 paper; \$1.75 board. University of Pennsylvania, 1905. (John C. Winston Company, Philadelphia, selling agents.)

A notable contribution to the literature of economics is "The Organization of Ocean Commerce," by Dr. J. Russell Smith, instructor in Commerce in the Wharton School of the University of Pennsylvania. This subject has been treated by most economists since John Locke, but the discussion has been almost wholly concerned with the problem of commercial policy upon which there has never been any general agreement. For this reason, the scientific side of the subject which is concerned with the management of ocean transportation as a business, has been entirely neglected by English and American writers, although the Germans have paid some attention to it.

The present volume is unique among discussions of commercial problems in that throughout its one hundred and forty-one pages, the reader will search in vain for expression of opinion or large generalizations. The author confines himself exclusively to the presentation of facts and the description of processes. His study is exhaustive and much of it deals with materials which are inaccessible to the general reader. The result is a careful, accurate and minute analysis of over sea commerce, which cannot fail to be of the greatest interest, not merely to the student of commerce, but to those who are actually engaged in the business of ocean transportation.

The book is divided into three parts, viz.: Traffic, Routes and Shipping and Harbors and Port Facilities. Part I contains the most original and the most useful portions of the work. The author discusses at great length the service performed by the tramp steamer and the line vessel under the head of "speed, efficiency and economy." He shows the different kinds of commodities which are carried by the two classes of steamers, and predicts an extension of the field of the ocean liner. Of particular interest in the discharge of the charter traffic is the vivid description of the management of chartered vessels to take advantage of the opportunities of profitable traffic. The subject of Traffic is concluded with a review of ocean freight rates whose irregularity and impidity of character is illustrated by a comparison with railway charges.

Part II deals mainly with trade routes. These are divided into steam and sailing routes and exhaustive enumerations of each class are presented.

The subject of coal supply and coaling stations receives separate treatment, and there is an estimate of the probable effects of the Panama Canal upon ocean trade routes and coaling stations. The author was for two years connected with the Isthmian Canal Commission, and enjoyed exceptional opportunities for the study of the effects of the canal upon commerce. He has also drawn extensively, in this part of the subject, upon the work of Professor Emory R. Johnson, a member of the commission. The reader will be relieved to find that Dr. Smith has refrained from contributing to the subsidy discussion. His treatment of government control is occupied with government regulations for the protection of life and property in the construction of the ship in its loading and in regulations of departure and arrival; and in surveys of coasts, forecasting of weather, charts of ocean routes, protection by navies and signal codes.

Part III deals with harbors and port facilities, and concludes with a description of the handling of freight. Chapter XIII will be of great interest to residents of American seaports, in view of the discussion of the English methods of raising funds for port improvements. Dr. Smith seems to favor the plan there adopted, of the seaport town borrowing money for the necessary harbor improvements, and then collecting toll to pay the interest on the debt. It is difficult, however, to understand how this method could be applied to the improvement of certain Atlantic Coast harbors which have figured permanently in harbor legislation, unless the municipalities and states directly affected would consent to pay a considerable proportion of interest on the cost of construction, from the proceeds of taxation.

It may be remarked that Dr. Smith apparently fails to attach sufficient importance to the ownership of docks by railway companies. The tendency toward this form of ownership has been rapid in the United States in recent years. In at least one instance, the Illinois Central docks at New Orleans, the railroad company has gone so far as to offer the free use of its wharves and warehouses to all shippers over its line.

Dr. Smith's conclusions as to tendencies and commercial organization are, first, that safety to navigation will be increased; second, that knowledge of maritime and commercial conditions will be obtained in greater detail than in the present; and third, that the general change from sail to steam, and the increase in the size of steam vessels, and the power of engines, will result in the steady increase of speed and in shorter routes. As a result of these three factors, and also because the steamship line is now being operated in close alliance with railroads and because the percentage of raw materials in ocean traffic is rapidly increasing, trade will, in Dr. Smith's opinion, increase both in volume and steadiness of traffic.

At present the business of ocean transportation is the most irregular and uncertain in the world. Dr. Smith's discussion leads, however, to the conclusion that as the result of the facts above mentioned, and also, because of the increasing diversity of ocean commerce, it will eventually become an industry which, in respect to regularity and dependability, will be comparable to railway transportation.

Dr. Smith has produced one of the most satisfactory pieces of economic



investigation which has appeared in recent years. He has described in great detail the organization of the business of ocean transportation, and what is of even greater value, he has explained and discussed the operation of the principles which underlie the operations of this important industry. The book will be of practical value to all those who are engaged in the business with which it deals, as well as to students of commerce and commercial geography.

E. S. MEADE.

*University of Pennsylvania.*

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**Veblen, Thorstein.** *The Theory of Business Enterprise.* Pp. viii, 400. Price, \$1.50. New York: Charles Scribner's Sons, 1904.

The author presents his theory of the modern economic situation from the view-point of business traffic. The book lacks the desirable quality of terseness and the writer at times wanders from the main line of his subject. A commendable feature is the formulation of many of his statements in symbols of mathematics, which are not incorporated in the text, but in footnotes. Modern business is no longer based so much upon mere commerce or trade as upon the processes of industry. We deal now in capital, in stocks and bonds, as well as in goods themselves. Industry is no longer so much a quest for livelihood as it is a seeking for profits.

The concluding chapters of the book dwell at some length upon the influences which this "machine process," as he terms the industrial situation, has upon the thought and civilization of the world.

While we may agree that the modern world does have a skeptical, materialistic, matter-of-fact attitude of mind, it seems rather strong to say this view is due to the machine process entirely. Is the Church not losing its influence largely because other institutions are coming in which do its old work more effectively than the church formerly did? In one sense it undoubtedly is due to that influence, for modern business is an outgrowth of the present industrial processes, and business methods have been adopted by these later and more effective institutions.

Business enterprise, to cite the author, may make our literature affected and archaic and may promulgate spendthrift aspirations. To imply that business enterprise will cause man to give up his spiritual beliefs is hard to accept.

JOHN C. DUNCAN.

*University of Pennsylvania.*

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**Willoughby, Weston Woodbury.** *The American Constitutional System.* Pp. xvi, 323. Price, \$1.25. New York: The Century Company, 1904.

This book contains within small compass a clear and usually exact statement of the constitutional aspects of the political organization of the United States, including the nature of the federal government, its relations to the states and other territory under its sovereignty, the political status of various classes of persons subject to it, and the relations of the states to each other.

Nearly one-third of the volume is devoted to the interesting but now somewhat academic question of the nature of the federal bond: whether it formed a confederacy or a nation; and to a discussion of the theory of the reconstruction acts. Professor Willoughby's analysis of the first of these subjects is not the most satisfactory part of his work. His inference from the circumstances of the adoption of the constitution is that the people desired and believed they were obtaining a legally indissoluble union by an agreement between sovereign states. Laying down the premise that this was logically impossible because sovereignty (according to recent definitions) cannot be divided, he further infers that if this dilemma of definition had been fairly presented to the people in 1788 they would have said: "If the orthodox definition compels us to elect between sovereignties we will choose that of the states." He therefore concludes that no truly sovereign national state received its organization by the adoption of the constitution, but that this result was reached by a peaceful revolution of public opinion during the next generation.

The real excellence of Professor Willoughby's work appears most plainly when he leaves this speculative field and deals with the actual political operation of the constitution as interpreted by the United States Supreme Court. Here he has been highly successful in stating the conclusions of a sound constitutional lawyer in a form readily comprehensible by intelligent laymen—an achievement not common. The scope of this part of the work may be best indicated by mentioning some of the subjects discussed, which include the supremacy of federal law, federal and state autonomy, federal and state powers, federal supervision of state duties, the acquisition of territory, the political and civil status of territorial inhabitants, citizenship, new states and interstate relations. As particularly interesting may be mentioned the author's views of the right of the United States to protect aliens, resident in a state (pp. 107-110); his discussion of the doctrine of "inherent sovereignty" as the source of implied federal powers (pp. 146-150, 196-197); the chapters on the acquisition of territory (XI-XII); and those upon the constitutional status of inhabitants of territories, including our "dependencies" (XIII-XIV, XVII). Regarding the last mentioned subject there is room for such reasonable divergence of opinion that it is difficult to find acceptable common ground upon which to base criticism. Perhaps all that can be demanded of a partisan in this field is that his argument be fairly consistent, and it is from this standpoint that Professor Willoughby attacks the position of the majority justices in the insular cases, particularly that of Mr. Justice Brown. In this, as in much of the controversial writing upon the question, it seems to the writer that Mr. Justice Brown has been misapprehended. When the latter affirms that the constitution was adopted by the states for the states, and that therefore it may well be thought that some at least of the prohibitions upon Congress were meant to apply only to its action in the states, it is surely not convincing to claim, as did Mr. Carlisle (approved by Professor Willoughby), that this logically involves the conclusion that Congress has no power at all outside of the states. Nor can it be asserted that the Justice is "indubitably incorrect" (p. 222) when he says that when Congress has once formally

extended the constitution to territories it cannot withdraw it. One may disagree with this *dictum*, and yet candidly admit that there is a sufficient analogy to the case of the admission of a state or the naturalization of an alien by Congress (neither of which could be revoked) to make this position a good way short of "indubitably" wrong. Another objection of Professor Willoughby to the *Downes* case, which seems unfounded, is that a tariff on goods between the states and a territory affects the states to some extent and so must be subject to the constitutional limitations upon Congress when legislating for the states. It should be noticed, however, that Congress is not forbidden thus to affect the states, so long as "duties are uniform throughout the United States." If Porto Rico be outside of the United States, as the court decided it was, within the meaning of "United States" in this clause, and if duties be levied equally upon all goods going from this island to any state, it would seem that uniformity is as much observed as in the case of duties on goods from England. As to duties on goods going from the states to Porto Rico the objection would be not lack of uniformity but that it was an export tax, a position inconsistent with a number of earlier *dicta* of the court which had declared "export" and "import" to be used in the constitution with reference to *foreign* countries only. (*Brown v. Houston*, 114 U. S. 622, 628; *Pittsburgh Coal Co. v. Louisiana*, 156 U. S. 590, 600.)

The author makes a slip (p. 152) in stating that the first eight amendments were an unnecessary precaution. As he points out elsewhere (p. 141) a power given to the United States is absolute, unless restrained by the constitution itself, and in the exercise of such powers property could easily be taken arbitrarily, or jury trials dispensed with, but for the amendments. The Tea Exclusion and the Oleomargarine Tax Cases just decided show how absolute the granted powers are construed to be. (*Buttfield v. Stranahan*, 192 U. S. 470; *McCray v. U. S.*, 195 U. S. 27.)

JAMES PARKER HALL.

*University of Chicago Law School.*



## NOTES ON MUNICIPAL GOVERNMENT

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# Municipal Indebtedness

### A Symposium

**City of New York.**—By the Editor from material furnished by the Department of Finance.

**Boston.**—EDWARD M. HARTWELL, Secretary Statistics Department, Boston, Mass.

**Baltimore.**—SOLOMON BLUM, Johns Hopkins University, Baltimore, Md.

**Cleveland.**—F. E. STEVENS, Secretary Municipal Association, Cleveland, Ohio.

**Cincinnati.**—MAX B. MAY, Cincinnati, Ohio.

**Pittsburg.**—EDWIN Z. SMITH, Pittsburg, Pa.

**New Orleans.**—JAMES J. McLOUGHLIN, New Orleans, La.

**Milwaukee.**—JOHN A. BUTLER, Chairman Executive Committee, State Civil Service Reform Association, Milwaukee, Wis.

**Washington, D. C.**—GEORGE S. WILSON, Secretary Board of Charities, Washington, D. C.

**Providence.**—SIDNEY A. SHERMAN, PH. D., Providence R. I.

**Grand Rapids.**—DELOS F. WILCOX, Secretary of the Civic Club, Grand Rapids, Mich.

**Seattle.**—Professor J. ALLEN SMITH, University of Washington, Seattle, Wash.

**Duluth.**—W. G. JOERNS, Duluth, Minn.

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### CITY OF NEW YORK

BY THE EDITOR FROM MATERIAL FURNISHED BY THE DEPARTMENT OF FINANCE.

*Total Indebtedness.*—The total gross funded debt of the City of New York (Greater City), at January 1, 1905, was \$558,265,517.60. The amount thereof held by the commissioners of the sinking fund for investment was \$157,330,352.85, leaving the net funded debt on said date \$400,935,164.75. In addition to the funded debt, so-called, there were revenue bonds issued in anticipation of the collection of taxes outstanding, amounting to \$34,457,000.

*Proportion Used in Profit-Bearing Enterprises.*—The amounts of the gross funded debt, as above, created for what are termed profit-bearing enterprises, such as water supply purposes, docks and wharves and rapid transit construction, are as follows: For water purposes, \$76,745,992.76; for docks and wharves, \$56,228,200; for rapid transit construction, \$43,616,000.

*Sinking Fund Provision.*—All funded debt created by the city is payable from sinking funds created by raising annually by taxation installments, which, with accumulation of interest thereon, will provide the amounts necessary for the redemption thereof.

*Amount of Sinking Fund.*—In addition to investments in stocks and bonds for account of the sinking funds of the City of New York, as shown above, to wit, \$157,330,352.85, there was on January 1, 1905, cash belonging to the sinking funds, amounting to \$865,660.21.

*Effect of Constitutional Limitations on Indebtedness.*—Under the constitution of the State of New York, municipalities are limited in incurring indebtedness to an amount not exceeding 10 per centum of the assessed valuation of its taxable real estate. This limitation covers not alone its net funded indebtedness, but also obligations incurred under contracts for public improvements, etc., as well as liability incurred by the city on account of acquisition of real estate for public purposes and judgments obtained against the municipality.

*Plans for Public Works Which Will Involve Increasing Indebtedness.*—The City of New York is committed to and has under consideration vast public improvements consisting of an extension of its water supply system, bridges over rivers and over tracks of railroads to abolish grade crossings, extension of its subway rapid transit railroads, extension of its park system, larger school facilities, enlargement of its fire and police departments, libraries, museums, buildings and hospitals for its health, charity and correction departments and the opening, grading, sewerage and paving of streets throughout the city.

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## BOSTON

By EDWARD M. HARTWELL, Secretary Statistics Department, Boston, Mass.

### I. Total Indebtedness.

Gross debt:

City debt .....	\$82,446,606.00
County debt .....	3,448,000.00
Cochituate water debt .....	8,224,000.00
	\$94,118,606.00

Sinking funds for:

City debt .....	\$23,202,184.92
County debt .....	888,512.52
Chochituate water debt .....	7,600,689.44
	\$31,691,386.88

Net debt:

City debt .....	\$59,244,421.08
County debt .....	2,559,487.48
Cochituate water debt .....	623,310.56
	\$62,427,219.12

2. *Purposes for Which Created.*

## City debt by objects:

Bath houses, gymnasias, etc. ....	\$446,300.00
Bennington street sewer damages .....	258,300.00
Bridges .....	1,067,416.66
Cambridge Bridge .....	1,050,000.00
Cambridge River Basin .....	800,000.00
Charlestown Bridge .....	1,555,000.00
Ferries .....	669,000.00
Improved sewerage .....	1,087,650.00
Metropolitan Park assessments .....	544,400.00
Miscellaneous .....	1,385,700.00
Public buildings, exclusive of school houses ...	6,729,632.46
Public grounds, etc. ....	195,200.00
Public parks .....	14,827,300.00
Playgrounds .....	1,156,610.98
School houses and sites .....	10,869,725.00
Separate systems of drainage .....	1,200,000.00
Sewers .....	7,366,260.00
Stony Brook .....	1,265,919.79
Sewerage charges, repayment of .....	15,000.00

## Widening, extending, grading and building streets, etc.,

viz.:

Miscellaneous .....	\$9,184,990.11
Laying-out and construction of highways .....	9,937,201.00
Blue Hill and other avenues .....	2,402,000.00
Rapid Transit .....	4,416,000.00
Rapid Transit, East Boston Tunnel .....	3,018,000.00
Boston tunnel and subway .....	1,000,000.00
	<hr/> \$29,958,191.11

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\$82,447,606.00

Less matured ..... 1,000.00

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\$82,446,606.00

County debt for Court House ..... 3,448,000.00

Cochituate water debt, for water supply ..... 8,224,000.00

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Total .....\$94,118,606.00



*3. Proportion Used in Profit-Bearing Enterprises.*

Ferries .....	\$669,000.00	
Rapid Transit:		
Tremont street subway .....	4,416,000.00	
East Boston tunnel .....	3,018,000.00	
Washington street tunnel .....	1,000,000.00	
Water works .....	8,226,000.00	
		<hr/> \$17,329,000.00
. \$17,329,000.00 = 18.41% of \$94,118,606.00.		

*4. Sinking Fund Provisions.*

Chapter XXXV, Section 3, Revised Ordinances of 1898 reads as follows, touching certain duties of commissioners of sinking funds:

SEC. 3. Said commissioners shall in their annual estimates, require for every sinking fund an appropriation sufficient, with the accumulations of the sinking fund, to meet at maturity, the debt for the payment of which it was created, requiring for a debt payable in five years from the time incurred, an appropriation of not less than  $23\frac{1}{4}$  per cent.; for a debt payable in ten years, an appropriation of not less than 8 per cent. of the amount of such debt; for a debt payable in twenty years, an appropriation of not less than  $3\frac{1}{2}$  per cent. of the amount of such debt; for a debt payable in thirty years, an appropriation of not less than 2 per cent. of the amount of such debt; and for a debt payable in forty years, an appropriation of not less than  $1\frac{1}{4}$  per cent. of the amount of such debt; provided, however, that said commissioners shall, when other payments have been applied, or transferred, to the sinking fund of any debt, require for that sinking fund an appropriation less by the amount of such payments than they would otherwise have required. In 1903-04, the sinking fund requirements were met by an appropriation of \$1,702,324.

*5. Amount of Sinking Fund.*

The amount of the sinking funds (see 1 above, viz.: \$31,691,386.88), includes two items:

(a) Sinking funds .....	\$30,383,612.58	
(b) Betterments and assessments pledged...	1,307,774.30	
		<hr/> \$31,691,386.88

*6. Effect of Constitutional Limitations on Indebtedness.*

The limitations on indebtedness are statutory (see Revised Laws of Massachusetts, 1902) and not constitutional. Their general effect seems to be recourse to the legislature for permission to borrow outside the debt-limit; thus of the gross debt of city and county, viz.: \$94,118,606, that outside the limit is \$54,851,400, and \$40,267,206 inside the limit.

## 7. Plans for Public Works Which Will Involve Increasing Indebtedness.

These are best indicated by the following statement:

## LOANS AUTHORIZED, BUT NOT ISSUED, JANUARY 31, 1905.

OBJECT.	Inside limit.	Outside limit.	Borrowed to date.
South Union Station .....	\$425,000		
Cambridge Bridge .....		No limit to amount.	\$1,250,000
Repayment Sewerage charges .....		Amount required.	415,000
Atlantic Avenue Extension .....		No limit to amount.	175,000
Rebuilding Broadway Bridge .....	38,500		
Hospital for Consumptives .....	150,000		
Bath Houses, Gymnasias, etc. ....	30,000		
Street improvements .....	32,000		
Playground .....	170,000		
Northern Avenue, etc. ....		No limit to amount.	10,000
Land and buildings for School .....	994,800		
Brockton Street Bridge .....		No limit to amount.	
Soldier's Field Bridge .....		Not to exceed \$120,000 for Bos- ton and Cam- bridge.	
Total .....	\$1,840,300		\$2,050,000

## BALTIMORE

By SOLOMON BLUM, Johns Hopkins University, Baltimore, Md.

At the present time the financial situation of Baltimore is of peculiar interest; not only because of the unsettlement occasioned by the fire, but because of the extensive improvements which an enlightened civic spirit demands for the increasing needs of a greater municipality.

The total revenue of the city for the year ending December 31, 1904, was \$12,217,846. Of this taxation yielded \$6,714,421; licenses, \$522,289; franchises, \$444,307; special assessments, \$17,122; fees and fines, \$20,286; quasi-private receipts, \$4,250,492.

The tax on general property yielded more than \$5,250,000, while the tax in arrears, including interest, yielded \$1,001,879. The tax on securities yielded only \$279,799. Included in quasi-private receipts were \$2,799,754 taken from the Western Maryland Railroad special funds for the Burnt District Commission. Water rents yielded \$828,788. The total taxable basis of Baltimore is approximately \$500,000,000. The borrowing capacity of the city has no legal limit, but before a loan may be issued the legislature must pass an enabling act; the council must enact an ordinance, and the proposed loan must be approved by a vote of the people. Though there is no legal limit to the possible debt contracting power of the city, the policy has been adopted of limiting the net funded debt to 7 per cent. of the whole taxable-basis, in order to conform to the New York law, which allows saving insti-

tutions to invest in only such municipal bonds as conform to this proportion. According to this rule, Baltimore may have a net funded debt of about \$35,000,000. The total funded debt is \$39,962, 882; deducting \$14,392,804, the amount in the sinking funds; \$8,627,500, invested in the water works; \$1,220,000, cost of the electrical subway; and other items amounting to \$2,518; the net debt of the city is \$15,721,059. The city may therefore contract a further debt of about \$19,250,000.

A loan of \$6,000,000 for dock improvements has been authorized, but not yet issued. At the May elections a \$1,000,000 park loan, a \$2,000,000 loan for street improvements in the annex, and \$10,000,000 for a sewerage system will be voted for. Even with these loans authorized, the city will still be within the 7 per cent. limit.

The problem, however, is how to float these loans without increasing greatly the burden upon the taxpayer. It is obvious that with a general property tax of \$2.11½ per hundred dollars, and a state tax of \$.23½ per hundred dollars, Baltimore is no condition to stand greatly increased taxation. It does not seem necessary, however, that there should be a heavy burden upon the taxpayers. The dock improvement loan will be met by rentals of the docks; the park loan by the park tax from the car company (which is 9 per cent. of the gross receipts of the company); the annex loan will be met by an increase in the taxable basis in that part of the city, and by the contemplated improvements. There remains then the \$10,000,000 sewerage loan. This loan will probably be issued in five years' installments, so that the city will not have to bear the full amount until the end of this period. It is not too much to expect that at the end of that period the increased taxable basis will fully meet all the necessary interest and sinking fund requirements. Furthermore, permission will be asked of the legislature to levy, if necessary, a reasonable sewer rate upon the houses connected with the system.

All these loans, except the sewerage, are to be issued at 3½ per cent., and are to run fifty years. The sewerage loan is to run for seventy-five years. One feature that is particularly commendable is that a specific sum is to be set aside yearly for sinking fund purposes. It has been heretofore the custom to set aside a certain proportion of the tax rate for the various sinking funds. This led to disproportion between the size of the sinking funds and the amount to be redeemed. These loans must appeal to anyone who is in the least conversant with the needs of Baltimore. Not only are they necessary, but they are possible, with very little added burden upon the taxpayer. The credit of the city is good. Last year the city was able to borrow at the low rate of 2.87 per cent. This rate is higher than it seems; for the city pays the state tax on its bonds, and exempts them from city taxation. Moreover, a corporation owning Baltimore city stock, is exempt, to the extent of its holdings, from city and state taxation. These securities are consequently much sought after by Maryland corporations.



**CLEVELAND**

By F. E. STEVENS, ESQ., Secretary Municipal Association of Cleveland.

The present total indebtedness of the city is \$21,739,402. This indebtedness was created in the making of various public improvements such as the market houses, fire and engine houses, public baths, water works, boulevards and in short for municipal construction and improvements of all kinds permitted by law to be undertaken by the city. That portion of the debt used in profit-bearing enterprises consists of \$3,950,000 for water works, \$150,000 for cemeteries and \$160,000 for market houses.

Provision for the retirement of bonds and the payment of interest is intrusted to a board of sinking fund trustees of four members appointed by the mayor. This board fixes upon the amount of tax levy to be employed in the creation of a sinking fund. It exercises its discretion in the investment of funds arising from taxation and when bonds are issued, it is first given the opportunity of purchasing these bonds as an investment. The par value of sinking funds, March 1st, was \$2,824,098. During recent years the average rate of levy for sinking fund purposes has been 2.5 mills on the dollar of tax valuation. The rate fixed for the current year is 2.9 mills. In addition to the amount raised by taxation for sinking fund purposes a portion of the earnings of the profit-making enterprises is applied to the payment of interest and the redemption of bonds.

The constitution of the state provides that the legislature shall restrict the power of taxation and contracting debts by municipal corporations "so as to prevent the abuse of such power." No specific limit of indebtedness is imposed by the constitution, but the legislature has provided that city councils may order the issuing of bonds for the raising of funds to an amount not in excess for any one year of 1 per cent. of tax value. By popular vote bond issues are authorized in excess of these limitations.

The bonded indebtedness of the city will be increased within the current year by almost \$3,000,000. Of this amount \$375,000 is to be employed in the extension and improvement of parks, \$100,000 for the construction of a municipal hospital, \$20,000 for a city farm school, \$500,000 for the elimination of grade crossings and \$20,000 for a public bath house. The remainder will be employed in sewer construction, the opening and improving of streets and additions to the water works system. The valuation of taxable property within the city, December 1, 1904, was \$205,831,745.

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**CINCINNATI**

By MAX B. MAY, ESQ., Cincinnati, Ohio.

On January 1, 1905 last, the total bonded indebtedness of the city of Cincinnati was \$36,818,140.38, of which \$35,483,142.42 were general bonds; \$1,334,997.95 were street improvement bonds. The general bond issue is largely made up of the following items: Consolidated sinking funds 3.65's, refunding old 6's and 7's issued for construction of Cincinnati Southern Railway; \$11,400,100 Cincinnati Southern Railway; terminals, \$1,500,000; Cincinnati South-

ern Railway construction bonds, old issue of 6's and 7's still outstanding, \$5,484,000. Total bonds issued for Cincinnati Southern Railway, \$16,353,000. The Cincinnati water works bonds varying at 3, 3.65 and 3.5's, \$6,828,600. The remaining bonds are for various municipal improvements, such as for schools, park purposes, hospital, workhouse and House of Refuge, sewer viaducts, bonded indebtedness of annexed villages of Clifton, Avondale, Westwood, Linwood, Winton Place, Riverside and Evanston. Inasmuch as the Cincinnati Southern Railroad is leased at an annual rental of \$1,090,000 and the city will derive revenue from the water works when completed, nearly \$2,400,000 or two-thirds of the bonded indebtedness is used in profit-bearing enterprises.

Under the new municipal code, in addition to all other taxes authorized by law, there must be levied and collected annually a tax upon property sufficient to pay the interest and provide a sinking fund, for the extinguishment of all bonds and funded debts, and for the payment of all judgments, which money cannot be used for other purposes. This sinking fund is managed by a board known as sinking fund trustees, composed of four citizens appointed by the mayor, not more than two of whom may be of same political parties. The sinking fund trustees shall invest all money received by them in bonds of the United States, the State of Ohio, of any municipal corporation, schools, townships or county bonds in the state, reserving necessary funds for expenses and all interest received shall be reinvested. On January 1, 1905 last, the sinking fund contained \$5,574,211.37, of which \$4,813,506.74 were bonds, \$206,060.35 interest funds and \$554,644.28 cash redemption fund.

Under the law council has the authority to issue in any one year bonds for municipal purposes, which shall not exceed 1 per cent. of the total tax duplicate, which is about \$220,000,000, but at no time shall there be outstanding a total bonded indebtedness under these provisions in excess of 4 per cent. of tax duplicate. However, by submission to special vote, additional bonds may be issued, but the total amount of such bonds outstanding shall not exceed 8 per cent. of tax duplicate.

Naturally this statutory limitation serves a very salutary purpose and tends to check the recklessness and extravagance of council. Every large city must increase its indebtedness, and Cincinnati in the near future will expend large sums of money to complete its water works and additional sums for park purposes, new city hospital and street improvements.

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## PITTSBURG

By EDWIN Z. SMITH, Pittsburg, Pa.

The population of the city of Pittsburg, according to the United States census of 1900, was 321,616. The increase since that time is estimated at about 30,000; so that the present figure is not less than 350,000. The total bonded indebtedness of the city is \$21,002,001.87 and is therefore at a rate of \$60 per capita of population. The purposes for which this indebtedness was created are as follows:

Railroad compromise bonds, refunding an old debt incurred by the municipality for bonuses offered to incoming railroads..	\$2,182,901.87
Funded debt of the old city (long standing bonds issued for various municipal improvements) .....	621,000.00
Water extension; for enlargement of city water supply and delivery .....	725,300.00
Construction of municipal building; refunded .....	170,000.00
Construction of Fifth Avenue Market House .....	25,000.00
Street improvement funded debt .....	5,214,700.00
Debt of borough of East Birmingham, assumed on annexation ..	62,000.00
Improvement of water system .....	1,400,000.00
Boulevard improvements .....	350,000.00
Public Parks improvements .....	1,225,000.00
Construction of building for Department of Public Safety .....	350,000.00
Purchase of bridges across the Monongahela River .....	1,050,000.00
Temporary loans for use of Board of Health in stamping out small-pox epidemic .....	240,000.00
Loan of 1900; for a variety of purposes, viz.: water filtration, street improvement assessments, land for poor farm, land and buildings for engine houses and police stations, water mains, erection and repair of bridges, boulevards, purchase of turnpike road, and park extensions and improvements ..	6,300,000.00
Funded debt for 1904; for payment of certain judgments and assessments against city .....	1,086,100.00
	<hr/>
	\$21,002,001.87

The rate of interest paid upon the various bonds issued ranges from 7 per cent., the rate paid upon the oldest series of bonds to  $3\frac{1}{4}$  per cent. and 4 per cent. upon the later issues. No part of this indebtedness was incurred in behalf of municipal profit-bearing enterprises, unless the water system could be thus designated, the returns from this source somewhat exceeding the interest and expenditures. It is not, however, organized as an enterprise for profit.

The sinking fund provisions for Pittsburg are those contained in Article XI of the act passed by the legislature of Pennsylvania in 1901, and embodying the system of government of cities of the second class, viz.: those having a population exceeding 100,000, but less than 600,000. Under this article, the sinking fund is controlled by a commission composed of five persons appointed by the mayor, and holding office for five years in classes. As funds accumulate they are to be invested in the purchase of bonds of the city, or if these cannot be procured to advantage, then in bonds of the United States or State of Pennsylvania. Bonds of the city bought in for redemption are to be stamped conspicuously and shall never be reissued or sold. At maturity those held by the city are to be cancelled, and those representing the balance of the loan outstanding paid off and retired. Whenever any new bonds shall be issued, they shall be made payable in annual installments equal to the



taxes levied for the purpose and shall be paid annually from the funds so provided. A number of other regulations guide the sinking fund commission in the fulfillment of its duty. At the present time, the sinking funds have to their credit \$1,255,543.73 in cash, and hold bonds as investments under the sinking fund law to the amount of \$5,889,438.14.

The limitations placed by the constitution of the state upon municipal indebtedness have never inconvenienced or unduly restricted the city of Pittsburgh, as its assessed valuation has increased so rapidly that there has always been a fair margin upon which to base the necessary loans. The only municipal project now in view which will involve increased indebtedness, is the plan for an extensive sand filtration plant for the purification of city water. Of the bond issue noted above under the designation of the "loan of 1900," \$2,500,000 was for a filtration system and was at that time supposed to be sufficient. The construction of the filter plant was, however, postponed by litigation and other circumstances for about four years, and when revised from estimates then made, it was found necessary to add largely to the appropriation. An election was therefore held in February, 1904, by which an additional issue of \$5,000,000 of bonds for this purpose was authorized, and the contracts for the principal part of the work have been let. This last issue is not included in the list set out above, for the reason that it has not yet been sold, the original issue of 1900 furnishing enough money to begin the work. As, however, the indebtedness has been authorized and the work entered upon, the amount of the bond issue, to wit, \$5,000,000, may be fairly added to the total given above, thus making the total bonded indebtedness of the city of Pittsburgh \$26,002,001.87 with its water filtration system complete.

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## NEW ORLEANS

By JAMES J. McLOUGHLIN, Esq., New Orleans, La.

For many years the city of New Orleans was one of the worst managed cities, financially, in the country. The evil times of reconstruction left her not only stripped of wealth, but also burdened with a crushing debt. Most of this debt had been incurred by the "carpet-bag" governments, prior to 1874, and although it was morally certain that the city had received no benefits at all commensurate with the outstanding obligations, yet the forms of law had been observed in its creation, and she was held legally responsible for every cent. In the year 1879 a new state constitution limited municipal taxation to 1 per cent., but the courts decided that this limitation could not be applied to pre-existent debts, and whenever a creditor applied to court for the enforcement of a debt created prior to 1879, the court directed the levy of a special tax to pay it. In 1882 these special judgment taxes amounted to 16¾ mills on the dollar.

Realizing the desperate condition of affairs, the people of New Orleans bent to the task, and after great privations—some of them being a closing of the public schools for five months every year, a practical abolishment of

police protection for many years, a neglect of all public improvements and scores of other deprivations which now are considered the very necessities of municipal life—after suffering all this for a period of nearly ten years, we have risen from the slough of despond, without the repudiation of a single dollar of debt, honest or dishonest, without the scaling of a single bond, and without passing a single interest coupon. To-day, our city's credit is of the highest, her bonds are all above par—the highest at 140 per cent.—our current obligations promptly met, our schools well sustained and millions of dollars being spent yearly for public improvements. Our rate of taxation for municipal purposes, including interest and sinking fund on our bonded indebtedness, is only \$22 per \$1,000.

In 1882 our total debt, floating and bonded, was \$20,059,315.50. On December 31, 1904, it was \$24,632,656.11, of which \$24,158,937 represents the bonded indebtedness. Three million nine hundred thousands dollars of these bonds were issued to pay for the water works and drainage system, which are now under construction, and to complete which, the balance of an issue of \$12,000,000 will be devoted. This bond issue has been authorized by constitutional enactment, and its result will be the conversion of an antique town into a modern city. The remaining \$20,258,937 of bonds were issued to take up older issues, to settle judgments and floating indebtedness, and the grand total represents an assumption at par and accrued interest of all that terrible burden of debt, tainted with every kind of fraud and dishonesty, left us as a legacy from the reconstruction period. Thus for generations the people of New Orleans will be toiling to pay for the few short years of that saturnalia of crime that, after the armies had left the field, afforded to the vultures and campfollowers the opportunity to drain the life blood from a stricken people.

The floating indebtedness, \$472,693.59, consists of \$19,178.80 of unpaid obligations created prior to 1879, which have never been presented for payment—and are probably destroyed, and will never be heard from—and \$453,514.79 certificates issued in recent years for street paving, public improvements, etc., which under our system of law are retired in annual installments, from taxes, and are not bonded, as they rarely ever run longer than three or four years.

Of our bonded debt, none is invested in profit-bearing enterprises, except that the city owns a number of market houses, that were built years ago, and probably the certificates that paid for them were funded years ago into bonds. These market houses, worth probably about \$1,500,000, produce an annual revenue of about \$150,000. The water works system belongs to a private corporation, but within a few years the city will own her own water system, as it will be constructed out of the \$12,000,000 sewerage and water bonds, referred to above. This will give her some revenue, as she will save the \$108,000 she now annually pays for water for public purposes, and in addition to that she will derive a revenue from sale of water to private consumers. The present company nets \$140,000 annually from its operation with defective pipes, and poor machinery.

At present our bonded indebtedness has practically no sinking fund

Owing to the poverty of the city, when the debts were refunded, and the pressing need for every dollar raised to pay the interest, we were unable to provide any sinking fund. A part of our debt is what are known as "Premium Bonds." These bonds are of the par value of \$20 each, and are payable in fifty years from their date (1875); the interest, 5 per cent. per annum, is not paid annually, but when the bond is paid. By a species of lottery scheme, some \$200,000 of these bonds are redeemed each year, and when redeemed, a number of money prizes, some as high as \$5,000, some as low as \$20, are distributed by lot amongst the holders of the redeemed bonds. Thus the holder of a premium bond may have his investment terminated any year, and when terminated, he is sure to receive his principal and accrued interest since 1875, and in addition thereto he may receive a prize of substantial value. Until the last of the premium bonds is paid, which will be in 1925, there will be no sinking fund for the other bonds, but then the fund which now goes to the extinguishment of the premium bonds will be applied to the payment of the other issues, all of which mature after 1925.

The constitution of Louisiana limits our city indebtedness to its present amount, practically by devoting the present tax of 1 per cent., known as the public debt tax, to the present bonds (with the exception of the sewerage and water bonds), and forbidding any other debt that may prejudice the holders of these consolidated bonds. It also limits taxation for municipal purposes to 1 per cent. per annum, and by special laws the city is forbidden to incur any debt for alimony purpose beyond her annual tax levy.

Five years ago by a vote of the property taxpayers, subsequently ratified by an amendment to the constitution of the state, the people of New Orleans authorized the issuance of \$12,000,000 of bonds to pay for a sewerage, water and drainage system for the city, to be provided for by an annual tax of two mills on every dollar of property in New Orleans, and it is of these that the \$3,900,000 mentioned above were issued. These bonds mature in 1950 and bear 4 per cent. interest. As they mature after all other outstanding bonds, they will, after the other bonds are paid, inherit the surplus arising from the older 1 per cent. tax now devoted to these older bonds. In addition to the two mill special tax, these sewerage, water and drainage bonds receive by law certain surpluses resulting from certain departments of the government, and are considered so good an investment that to-day they sell at 107 on the stock market.

The assessed valuation of New Orleans is increasing rapidly, and as the rate of taxation for bonded debt is fixed,—two mills for the sewerage bonds, and ten mills for all the others combined—the revenue available for debt purposes increases annually, and will be used for reduction of the debt whenever possible. In this connection it may be well to note that all the funds pertaining to the public debt are handled exclusively by a body known as the board of liquidation of the city debt, which is composed of bankers and business men, in the majority, with three or four city officials in the minority. This board is free from any control by the city authorities. It is a constitutional board, and even the legislature cannot control it. It is self-perpetuating, and all vacancies (except those of the city officials on it) are filled by the



remaining members. Free, therefore, from all political influence, and possessed of unlimited powers in the handling of its funds, it has done more than anything else to establish confidence, in the minds of capitalists, in our municipal securities.

The assessed valuation of New Orleans in 1880 was \$91,117,918; assessed valuation for 1904 was \$158,584,194. Beyond the sewerage, water and drainage system now under construction, New Orleans has no plans under way for public works which will involve increasing indebtedness, beyond the usual street paving and public improvements paid for annually out of the taxes collected annually, of which by law 20 per cent. must be devoted to works of public improvement.

Appended herewith is an extract from the report of the board of liquidation, dated December 31, 1904, to which is added the Stock Exchange quotations for the bonds named, on March 31, 1905, all of which tend to show that the city of New Orleans stands to-day before the world as on the road to that prosperity which is the lot of every community that places honor above expediency, and that will sacrifice her all, rather than repudiate a single dollar of her public obligations.

## BOARD LIQUIDATION CITY DEBT.

NAME.	Amount.	Maturity.	Interest.	Annual Interest.	Stock Exch'g Quotation, March 31, '05.
Constitutional Bonds, Coupon . . . . . \$9,788,000					
Constitutional Bonds, Registered Certs. . . . . 212,000					
	\$10,000,000	1942, July 1.	4 %	\$400,000	109.
Premium Bonds . . . . . 4,002,940		Annually.	5 %	.....	242
Public Improvement Bonds . . . . . 3,900,000		1950, July 1	4 %	156,000	107
Floating Debt Bond . . . . . 233,000		1948, Oct. 1.	4 %	9,320	100
Gold Bonds . . . . . 117,000		1922, July 1.	7 %	8,190	140
Street Improvement . . . . . 10,000		1911, Aug 1.	7.30 %	730	.....
Total Bonded Debt . . . . .	\$18,262,940	.....	.....	\$574,240	
Five per cent interest on \$4,002,940 Premium Bonds from July 15, 1875, to Dec. 31, 1904, inclusive	5,895.097				
	\$24,158,037				

**MILWAUKEE**

By JOHN A. BUTLER, Chairman Executive Committee, State Civil Service Reform Association, Milwaukee, Wis.

The total bonded indebtedness of Milwaukee on March 1st of this year was \$7,092,750. The indebtedness like that of other cities is incurred for the conduct of public enterprises of various kinds: Schools, bridges, water works, public library and museum, public parks, sewerage, street improvements, public baths, fire and police departments, viaducts, etc.

Water bonds comprised in the above indebtedness are as follows:

Water of 1886, due January 1, 1906, 4 per cent. ....	\$25,000
Water of 1887, due January 1, 1907, 4 per cent. ....	39,000
Water of 1890, due January 1, 1900, 4 per cent. ....	125,000
Water works of 1893, due July 1, 1903, 5 per cent. ....	56,250
Water works of 1895, due July 1, 1904, 5 per cent. ....	50,000
Water works of 1896, due July 1, 1916, 5 per cent. ....	60,000
Water Department, construction of 1890, due July 1, 1900, 4 per cent. .	25,000
City water of 1892, due July 1, 1912, 5 per cent. ....	20,000

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\$400,250

The city sets aside each year 5 per cent. of the original amount of issue for retirement; for instance it issues \$1,000,000, which will run twenty years and retires \$5,000 each year. That amount must be provided for in the tax levy, together with the interest necessary for the amount of bonds outstanding. The amount set aside for interest and sinking fund for 1905 was \$800,000. The constitutional limit on indebtedness is 5 per cent. of the assessed valuations, but the city is restricted to 5 per cent. of the average assessed valuation of the last five years.

The plans for public works which will increase the indebtedness, comprise the construction of two viaducts which are expected to cost about \$800,000. It is also proposed to issue dredging bonds. The government is expected to appropriate something like \$350,000 for this purpose, and the city a like amount. There is "talk" of a lighting plant, which will require an initial bond issue of about \$150,000. The city has just sold \$620,000 of bonds to R. L. Day & Co. and Easterbrook & Co., of Boston, and its securities are in uniform demand as an investment.

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**WASHINGTON, D. C.**

By GEORGE S. WILSON, Secretary Board of Charities, Washington, D. C.

The total indebtedness of the District of Columbia at the close of the fiscal year ended June 30, 1904, was as follows: Bonded debt, \$12,492,700.00; floating debt, \$1,349,661.69; total, \$13,842,361.69.

The bonded indebtedness was created for the purpose of making general public improvements in the line of grading and paving streets and constructing sewers, etc. While this indebtedness was created at different times and

for various purposes, the entire indebtedness was rearranged about the time of the organization of the present form of government in 1878, and bonds were issued for the entire amount, without any distinction as to the purposes for which the indebtedness had been created. Hence, since that time, there has been no separation of items of indebtedness, such as water bonds, sewer bonds or street improvement bonds, the entire amount being represented by a single issue, known as "the bonded debt of the District of Columbia." The bonds bear an annual interest of 3.65 per cent. The floating indebtedness arises from cash advances made to the district by the United States treasury under authority of Congress, and represents the proportionate part of appropriations, actually advanced for expenditure, payable from the revenues of the District of Columbia in excess of the revenues collected by the District. Under existing legislation this indebtedness, and any increase thereof which may be made, must be repaid to the United States treasury within five years from July 1, 1906. An annual interest charge of 2 per cent. on this character of indebtedness is paid by the District.

No part of the indebtedness of the District of Columbia was created for profit-bearing enterprises.

The interest and sinking fund on the bonded indebtedness is provided by annual appropriations made by Congress, payable one-half by the United States and one-half by the District of Columbia. With a few exceptions, all appropriations made for the District of Columbia are met one-half by the United States and one-half from the revenues of the District of Columbia.

With the annual appropriations made by Congress, the Treasurer of the United States, as *ex-officio* commissioner of the sinking fund of the District of Columbia, retires, by purchase in open market, bonds to the extent of the appropriations at his disposal, so that the bonded indebtedness is diminished, year by year, by the amount of such retirements. In this way there is, therefore, no accumulation of cash or other assets in the sinking fund.

The one limitation on the District's bonded indebtedness is that prohibiting an issue of a greater amount than \$15,000,000. This limitation is a legislative enactment, and of course Congress can modify it at any time. There can be no constitutional limitations of any kind in the District of Columbia, except the United States constitutional limitations. Congress, acting under the constitution, has exclusive jurisdiction in all matters in the District of Columbia.

Several large enterprises, in the way of public works, are, at the present time, being carried on, and others are contemplated in the immediate future, which will affect the indebtedness of the District of Columbia. The more important of these public improvements are: a sewer system, a filtration plant, a municipal building and the elimination of grade crossings. During the past few years there has been considerable agitation in the District, in favor of a bond issue to provide for large permanent improvements that are deemed immediately necessary. Congress has so far failed to approve of such a measure, but instead thereof, when it has seen fit to authorize certain improvements, involving expenditure of large sums of money, it has made appropriations for them in the same manner as for the annual running:



expenses of the District government. The result has been a considerable deficit, and Congress has provided for this by authorizing the Secretary of the Treasury to make advances from the United States treasury sufficient to meet any deficit in the revenues of the District of Columbia, and has provided that these advances shall be repaid within five years from July 1, 1906, with an annual interest rate of 2 per cent. Thus has been created the floating debt of the District of Columbia. It would seem to be the purpose of Congress to provide for all public improvements in this manner, apparently expecting that all necessary improvements can be paid for within a comparatively short period.

### PROVIDENCE

B SIDNEY A. SHERMAN, PH. D., Providence, R. I.

The total indebtedness of the city of Providence at the close of the financial year ending September 30, 1904, was \$18,231,834.38. Various sinking funds amounted to \$4,759,128.59, leaving a net debt of \$13,472,705.79.

The largest single items in this great debt were \$5,445,500 for sewers, and \$5,647,000 for water works. There was also \$2,150,000 for highways, \$1,689,000 for schools and \$1,265,613.55 for parks, besides several smaller items.

The water works are the only profit-bearing enterprise which this city has undertaken, but they are so good an investment that the city ought to be encouraged to take up other public utilities, like the gas works, electric lighting, and eventually the street railways. Of the net debt of thirteen and a half millions, four and a quarter is for water, making a little less than one-third of the whole. The total receipts of the water works were \$676,752.22. The cost of maintenance was \$172,312 and interest on bonds \$225,265. A few thousand out for other items left a net balance of \$275,961.55, which was paid to the sinking fund. The total cost of construction has been seven million dollars, so that the debt is being extinguished and a 4 per cent. on the cost is being paid at the same time, besides maintaining the system.

Against the water debt is a sinking fund of \$1,389,718.17; for highways the sinking fund is \$718,066.08; for schools, \$573,471.35; for sewers, \$1,491,763.39. and for parks, \$254,265.39, making, with minor amounts, a total sinking fund of \$4,759,128.59, as stated above.

Chapter XXXVI, of the general laws of the state, Section 21, provides that, "No town shall, without special statutory authority therefor, incur any debt in excess of 3 per centum of the taxable property of such town." The total valuation of Providence is \$208,000,000, and 3 per cent. of that sum is \$6,240,000. The net debt is more than twice that amount. It is the practice of the city council, when desiring to incur a new debt, to apply to the general assembly for permission to do so, and as far as I remember the permission has always been granted; so that the law is at most mildly deterrent.

The indebtedness will be further increased by something like a million dollars by the construction of a sand filtration plant for the water works. Plans for a hospital for contagious diseases and for a large addition to the

Technical High School, will, if carried out, also increase the debt by perhaps a hundred thousand dollars.

As our population is approximately 185,000, our net debt is \$73 per capita. Notwithstanding this large debt, the credit of the city is very high, and its bonds always sell at a premium.

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#### GRAND RAPIDS

By DELOS F. WILCOX, Secretary of the Civic Club, Grand Rapids, Mich.

The total funded debt of the city at the present time is \$2,204,000, which has been created for the following purposes: For water works, \$1,025,000; school sites and buildings, \$219,000; bridges, \$150,000; public lighting plant, \$125,000; market site, \$75,000; street improvements, \$460,000; special loan to meet deficit in current expenses ten years ago, \$150,000.

It should be noted that the street improvement loans are wholly met by special assessments, no burden falling upon the general tax rolls at all except for special assessments that cannot be collected. An analysis of the purposes for which the debt was created shows that \$1,225,000, or about 55 per cent., of the total debt has been incurred for enterprises that might be classed as profit-bearing, if they showed no loss in operation. Our water works have thus far been unable fully to take care of themselves, largely on account of the impure supply, and to some extent on account of the competition, feeble though it is, of a private company. The city market scarcely pays its running expenses and the interest on the bonds. The lighting plant is used only for lighting the streets, but has shown a considerable saving to the city over the expenses of lighting by contract. Two years ago the legislature established for the city a board of sinking fund commissioners, composed of the mayor, the city clerk, the city comptroller, the city treasurer, the chairman of the committee on ways and means of the common council and two citizen freeholders elected by them. This board has charge of the sinking fund which is provided for the payment of a part of the public debt. The common council is required to levy every year a tax of not less than one-fifth mill or more than four-fifths mill on each dollar of valuation for the benefit of the sinking fund. Under this requirement the minimum levy of about \$15,000 amounts to considerably less than the interest on the city bonds, strictly so-called, the water works debt, the school debt and the street improvement debt being excluded. The city attorney has held that the interest on the debt is a part of the debt and, therefore, that the levy referred to need not necessarily be applied to the redemption of the principal. No provision whatever is made in the sinking fund for the water bonds or for the school bonds. Only about \$57,000 water bonds have ever been paid during the thirty years since the city first established its water works. The school bonds are paid out of taxation from year to year as they fall due. A movement is on foot to have the sinking fund act amended so as to give the sinking fund commissioners responsibility for all the debt of all the city departments, and make provision for the retirement of the bonds as they mature.

There is no direct constitutional limit upon the debt of cities in Michigan,

but the legislature is required to make provision for the incorporation of cities and to "restrict their powers of taxation, borrowing money, contracting debts and loaning their credit." Under its charter the city has no general authority for borrowing money. There is no limit, however, to the amount of water bonds that may be issued, if the people vote for them. School bonds also may be issued to an unlimited extent by the Board of Education, subject to the approval of the common council. The city also has authority to make loans for a few other specific purposes.

On April 3d the people will give an advisory vote upon the question of issuing \$104,000 additional school bonds for the purpose of extending manual training to the high schools and relieving the overcrowding. An authoritative referendum will be taken on the issue of \$700,000 water works bonds for the following purposes: (a) For new pumping machinery, \$110,000; (b) for a new water supply, \$440,000; (c) for a filtration plant, \$150,000.

The unsatisfactory condition of the water supply of Grand Rapids has been a source of endless trouble to the city and the project now on foot is to remove the water works intake to a point on Grand River above the local sources of pollution, collect all the ground and spring water that can be found in the vicinity, taking the balance that is needed from the river and purifying it by a system of filtration not yet determined on. A bill to repeal the charter of the Hydraulic Company, which has been supplying water in a feeble way for more than fifty years, has just passed both houses of the legislature and is awaiting the governor's signature. The removal of this decrepit company from the local field will greatly simplify the political aspects of the water question in Grand Rapids. At the present writing, however, it seems very doubtful whether the proposed bond issues for a pure water supply will carry.

#### SEATTLE

By PROF. J. ALLEN SMITH, University of Washington, Seattle, Wash.

Seattle has a bonded debt of \$4,635,000 created for the purposes indicated in the following table:

Amount.	When Created.	Purpose.
\$1,090,000	1891 and 1893....	To fund warrants issued from 1889 to 1893.
240,000	1892.....	On account of insufficient tax levy in 1892.
275,000	1892.....	To pay judgments against city.
220,000	1892.....	Property condemned in widening and straightening streets after the fire of 1889.
645,000	1890-1893 .....	Construction of main sewers.
100,000	1902.....	Public library site.
175,000	1905.....	City jail.
1,050,000	1891 and 1892....	Purchase, betterment and extension of water plant.
840,000	1903-1905 .....	Construction of municipal light and power plant to furnish light for both public and private use.



The city jail bonds above mentioned and \$250,000 of the municipal light and power bonds have just been sold. Taxes must be levied for the payment of all interest on the bonded indebtedness of the city, and funds must be provided for the payment of bonds by tax levy during the seven years preceding their maturity.

In addition to this general municipal indebtedness there were outstanding, January 1, 1905, local improvement bonds aggregating \$1,447,926.19. These are merely a lien upon the property benefited and not a debt for which the city is liable. This local indebtedness will be increased by a large amount during the present year if the plans now being matured for street improvements are carried out.

There were also outstanding on January 1, 1905, Cedar River water supply warrants to the amount of \$1,100,000. They were issued for the purpose of constructing a gravity system which would ensure an adequate supply of pure water. These warrants constitute a special debt, the interest and principal of which are to be paid out of the earnings under municipal operation. This is an example of the method which may be employed in this state to evade the constitutional limitations on municipal indebtedness. The ordinance authorizing the sale of these warrants made provision for a special fund for their payment by setting aside for that purpose 75 per cent. of the gross revenue from private consumers and obligated the city not to reduce the charges for water to such an extent that 75 per cent. of such revenue would be less than it was at the time these warrants were issued. The supreme court of this state has held that inasmuch as these warrants are to be paid out of the income which the city obtains from the operation of the plant, they are not an indebtedness of the city within the meaning of the constitution of Washington. The first case in which that body upheld the right of a city to exceed the constitutional debt limit for municipal ownership purposes was decided in 1895. (*Winston v. Spokane*, 12 Wash.) The use thus made of the special fund device was expressly sanctioned by the legislature in 1897 in an act which authorized cities to establish municipal ownership of water works, light, power and heating plants and cable, electric or other railways. The constitutional limitations are interpreted as applying only to general municipal indebtedness. After a city has reached its debt limit it may issue local improvement bonds or create a special debt for the purpose of municipal ownership.

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#### DULUTH, MINN.

By W. G. JOERNS, ESQ., Duluth, Minn.

*Indebtedness.*—The total bonded debt of Duluth, excluding indebtedness of the independent school district, was, on January 1, 1905, \$5,245,250, on an assessed valuation of, in round numbers, \$30,000,000, of which the real property valuation comprises \$23,000,000. Of this bonded debt \$2,606,000 are so-called "water and light" bonds, which are the bonded indebtedness on the municipal water and gas plants and are a special lien on such plants. These

plants are more than self-sustaining, and under six years of municipal operation, in addition to securing and safeguarding an absolutely pure water supply, the water and gas rates have been reduced practically one-half. An additional \$140,000 of water and light bonds have just been voted by the electorate for necessary extensions of the system to outlying districts, and \$100,000 of general fund bonds, heretofore authorized by special legislative enactment for an aerial ferry bridge across the ship canal which forms the entry from Lake Superior to the bay and harbor of Duluth, are awaiting the final completion of the bridge. The bonded indebtedness of the independent school district of Duluth, as already set out in the January, 1905, number of the ANNALS, is \$1,037,000, against which, as an offset, the present school assets in buildings, sites, equipment, etc., are appraised at \$1,868,000.

Deducting the water and light bonds aforesaid, we find the general bonded indebtedness of the municipality to be \$2,639,250. Of this amount \$99,000 are for a so-called permanent improvement revolving fund, which forms a special nucleus for street improvements and is, theoretically, at least, supposed to be constantly replenished through special assessments levied for such improvements; \$312,000 are park bonds, and for this expenditure Duluth has a substantial asset in a splendid system of parks. The remainder of the indebtedness has been accumulated as the years rolled by, not a little as the result of unwarranted waste and extravagance of the "boom" period antedating the panic of '93, particularly in outlying districts that were later incorporated into the city proper.

The interest rate on the bonds varies from 4 per cent., the going rate of the later issues, to 6 per cent. for the earlier ones, especially those of the outlying sub-divisions. The average rate is estimated at 4.69 per cent.

Duluth has no floating indebtedness. Under the provisions of her "home rule" charter the city is run on a strictly cash basis, the only infringement on which, even in form, is the issue from time to time of certificates of indebtedness in anticipation of tax apportionments, and this only under strict charter regulation. Before the adoption of the new charter a large floating indebtedness had accumulated, referable in part to bad financiering in the city proper as it existed before taking into the corporate limits surrounding additional territory, in part to defaults in the payment of assessments for street improvements and, to an important extent, the accumulated indebtedness of the newer sub-divisions which later became a part of the city. By special legislative provision in the charter enabling act the city was authorized to, and did, in fact, fund this debt and the \$733,000 of "refunding" bonds, which are included in the city's bonded debt, are the result.

*Sinking Fund.*—The charter provides for the annual levy until the payment of the total bonded indebtedness of the city is provided for, of "at least one mill on the dollar of the assessed valuation of all taxable property in the city" for sinking fund purposes, which, however, "shall be applied only to the payment of the principal of bonds . . . when the same shall become due." In addition, all excess tax collections for interest and all revenues of the city, not otherwise appropriated, shall be paid into the sinking fund. Collections on all assessments levied prior to the adoption of the present

charter (March 8, 1900) are likewise being credited to the sinking fund. This, as already suggested, with reference to the "refunding" bonds, is because the city's general bonded debt stands in part for expenditures for street improvements to which such assessments apply. The sinking fund on January 1, 1905, amounted to \$110,819.97. The management and investment of the sinking fund is vested in the mayor, comptroller, treasurer and city attorney as ex officio sinking fund commissioners of the city, subject to the general direction of the common council.

*Limitation of Indebtedness.*—Under the "home rule" charter enabling act, municipalities are restricted in their debt-creating capacity within certain defined limits. There is also a general statutory provision on the subject that applies generally to the minor political subdivisions of the state. The class to which Duluth belongs is restricted to 5 per cent. of the total value of the taxable property of the city as returned for taxation, subject, however, to the following special exceptions: (1) Where limit has been already reached or debt exceeds 5 per cent. limit at time of incorporation, bonds may be issued to pay floating debt, to be used solely for such purpose. (2) Certificates of debt for permanent improvement fund are not to be considered as a part of the debt for the purposes of this limitation. (3) Water and light bonds for water and light plants "already in existence" prior to incorporation and all additional issues for the extension, enlargement and improvement of such plants are likewise excluded from the 5 per cent. limitation.

It follows from the foregoing that for some time at least no additional public utilities can be acquired by the municipality without special legislative sanction. There are no constitutional inhibitions on the general debt-creating power of Minnesota municipalities.

*New Public Works Involving Increased Indebtedness.*—The aerial ferry bridge, which is practically completed, and the proposed extensions of the water and gas service, for which bonds were recently voted, have already been referred to as involving an increase of the city's bonded debt. There is also a movement on foot seeking legislative sanction for the acquirement of a municipal electric lighting plant. There are strong indications, however, that the private company and other special interests in sympathy with it may succeed in controlling legislation on the subject and that the people will be thwarted in their desire.





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ABBREVIATIONS.—In the Index the following Abbreviations have been used: *pap.*, principal paper by the person named; *com.*, communication by the person named; *b.*, review of book of which the person named is the author; *n.*, note by the person named; *r.*, review by the person named.

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